

BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION  
OF THE STATE OF OREGON

In the Matter of the )  
Teaching License of )  
MARK ANDREW ROUSKA )

On October 12, 2010, the Teacher Standards and Practices Commission

(Commission) issued a Notice of Opportunity for Hearing to Mark Andrew Rouska (Rouska) in which the Commission charged him with Gross Neglect of Duty pursuant to OAR 584-020-0040(4)(n), OAR 584-020-0010(5), OAR 584-020-0010(1), OAR 584-020-0040(4)(o) and OAR 584-020-0035(1)(c)(D). The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7010 0290 0001 6831 4497 to the address on file with the Commission. The Certified Mail was returned to the Commission, as unclaimed. The regular mail was not returned to the Commission. The Notice of Opportunity of Hearing, dated October 12, 2010, and signed by Victoria Chamberlain, Executive Director, stated:

**"IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF YOU FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."**

Rouska did not request a hearing. The Commission, therefore, finds Rouska to be in default and enters the following findings of fact, conclusions of law and order, based on the files and records of the Commission concerning this matter.

## FINDINGS OF FACT

1. Mark Andrew Rouska has been licensed as a teacher in Oregon by the Commission since December 4, 2000. Rouska's Initial I Teaching License, issued September 20, 2006, expires on September 19, 2010. Rouska timely applied for

1 renewal of his license.

2 2. On September 16, 2009, in response to a disciplinary situation in his classroom  
3 Rouska told students, "If you were my children I would take you home and beat  
4 you," or words to that effect. Rouska also commented to students that they were "a  
5 disgrace to their families," "stupid," "immature," and that he was "disgusted" with  
6 their behavior. Rouska then kicked an unoccupied desk that hit another student  
7 and fell over. Rouska also commented to students that he was "being let go  
8 anyway" and that he didn't "care about teaching them anyway." Rouska was given  
9 a five day administrative leave following this incident.

### 10 CONCLUSIONS OF LAW

11 Mark Andrew Rouska's above described conduct constitutes gross neglect of  
12 duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR  
13 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0010(1) (*Recognize the*  
14 *worth and dignity of all persons and respect for each individual*) and OAR 584-020-  
15 0040(4)(o) as it incorporates OAR 584-020-0035(1)(c)(D) (*Honoring appropriate adult*  
16 *boundaries with students in conduct and conversations at all times*).

17 The Commission's authority to impose discipline in this matter is based upon  
18 ORS 342.175.

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1 **FINAL ORDER**

2 The Commission hereby suspends the Initial I Teaching License of Mark Andrew  
3 Rouska for 30 days.

4 Furthermore, in order to reinstate his license, Rouska must provide proof of  
5 attendance in an anger management class. Upon reinstatement of licensure, Rouska  
6 shall be placed on probation for a period of three (3) years.

7 IT IS SO ORDERED THIS 17<sup>th</sup> day of February, 2011.

8 TEACHER STANDARDS AND PRACTICES COMMISSION

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11 By:   
12 Victoria Chamberlain, Executive Director  
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17 **NOTICE OF APPEAL OR RIGHTS**

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19 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY  
20 BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE  
21 SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS  
22 OF ORS 183.482 TO THE OREGON COURT OF APPEALS.  
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