BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 1 2 OF THE STATE OF OREGON 3 In the Matter of the Educator 4 DEFAULT ORDER OF 5 ) PUBLIC REPRIMAND License of 6 RAYMOND BURLEIGH WHITE 7 8 9 On March 23, 2015, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Raymond Burleigh White (White) in which 10 the Commission charged him with Gross Neglect of Duty. The Notice was sent via U.S. First 11 Class Mail and U.S. Certified Mail Receipt 7014 0150 0000 1046 5703 to the address on file 12 with the Commission. The Notice designated the Commission file as the record for purposes 13 of proving a prima facie case. The Certified Mail receipt was returned to the Commission 14 "unclaimed" on April 20, 2015. The first class mail was not returned to the Commission and 15 assumed delivered. The Notice of Opportunity of Hearing, dated March 23, 2015, and signed 16 17 by Victoria Chamberlain, Executive Director, stated: "IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY 18 PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED 19 20 UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF YOU 21 FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER 22 OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF 23 YOUR LICENSE OR OTHER DISCIPLINE." 24 25 White did not requested a hearing. The Commission, therefore, finds White to be in default 26 and enters the following findings of fact, conclusions of law, and final order, based on the 27 files and records of the Commission concerning this matter. 28 29 FINDINGS OF FACT 30 1. White has been licensed by the Commission since August 12, 1998. White previously 31 held an Emergency Teaching License and prior to that an Initial I Teaching License, 32 with endorsements in Multiple Subjects Self-Contained (ECE, ELE) and Special 33 Education (ML/HS, ECE/ELE). Both licenses expired in 2012. White applied for a 34 Substitute Teaching License in 2014; however, White's application was incomplete. 35 White did not complete his application in a timely manner; therefore, White's 36

- application was closed. During all relevant times, White was employed by the
  Harrisburg School District.
  - 2. On November 26, 2012, the Commission received a report from the Harrisburg School District alleging White violated professional standards and practices. Subsequent investigation determined the following:
    - a. On November 21, 2011, White was issued a letter of reprimand for unprofessional boundaries with students. Specifically, White engaged in physical horseplay, pushing, poking, and mock choking students as well as using inappropriate language and humor with sexual content. On November 6, 2012, White was again reprimanded and also given two days off without pay for a similar incident. Specifically, White made an inappropriate comment to a student that implied she was sexually active. This was done publicly at a school football event and offended the student and her parent. The student involved was also involved in the 2011 incident(s) and related to your prior reprimand.

**CONCLUSIONS OF LAW** 

Raymond Burleigh White engaged in unprofessional conduct as described above. This conduct constitutes Gross Neglect of Duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0025(2)(e) (*Using district lawful and reasonable rules and regulations*), OAR 584-020-0030(2)(b) (*Skill in communicating with administrators, students, staff, parents, and other patrons*); and OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(1)(c)(D) (*Honoring appropriate adult boundaries with students in conduct and conversations at all times*).

The Commission's authority to impose discipline in this matter is based upon ORS

- 27 342.175.
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1 FINAL ORDER The Commission hereby issues a Public Reprimand upon Raymond Burleigh White's 2 Educator licensure. 3 4 IT IS SO ORDERED THIS 2015. 5 6 TEACHER STANDARDS AND PRACTICES COMMISSION 7 8 Victoria Chamberlain, Executive Director 9 10 NOTICE OF APPEAL OR RIGHTS 11 12 13 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM 14 15 THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS. 16