

In the Matter of the
Teaching License of
DAVID ALAN DAUGHERTY

On March 15, 2001, the Teacher Standards and Practices Commission issued a Notice of Opportunity for Hearing to David Alan Daugherty, in which the Commission proposed to suspend or revoke the teaching license of David Daugherty or otherwise impose discipline under ORS 342.177. The notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt #7000 0600 0023 8497 0071. The certified mail receipt was signed and dated by David Daugherty on March 27, 2001, and returned to the Commission on March 30th. David Daugherty did not request a hearing.

The Notice of Opportunity for Hearing, signed by David V. Myton, Executive Director, stated: You, David Alan Daugherty, are entitled to a hearing on the proposed action of the Commission. If you want a hearing, you must file a written request for a hearing with the Commission within 21 days of the date of this notice. Attached to this notice is a copy of the procedures, right of representation and other rights of parties relating to the conduct of a hearing as required under ORS 342.413(2).

Based on the foregoing, the Commission finds David Daugherty in default and such default is hereby entered. Based on the records and files of the Commission, the Commission enters the following findings of fact and order.

- 1) In September and October 1998 and December 1999, Daugherty violated OAR 584-020-0040(4)(n) as defined in OAR 584-020-0025(2)(e) by failing to obey the Medford School District's policy on tobacco (chewing tobacco) use in school.
- 2) In May 1999, Daugherty violated OAR 584-020-0040(4)(n) when he stood next to his car and changed his clothes in the parking lot of South Medford High School. A female staff member and female student observed this. On or about February 14, 2000, Daugherty changed his clothes in his office while conversing with female student, AC.
- 3) During the 1999-2000 school year, Daugherty violated OAR 584-020-0040(4)(f) when a female student, TB, told Medford Police that she heard Daugherty tell a group of male students in class about the advantages of a woman humming while providing oral sex. TB, stated that Daugherty referred to this as a "hummer", he said that it felt better.

- 1 4) Daugherty violated OAR 584-020-0040(4)(n) as defined in OAR 584-020-0030(2)(b) when
2 he told students to sit their "ass" down, get their "fat asses out of the chair" and used the
3 words "bitchy" and "fuck" in the classroom when communicating with students.
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5 5) During the 1999-2000 school year, Daugherty violated OAR 584-020-0040(4)(f) by
6 engaging in sexual conduct with AC, a female student at South Medford High School on
7 various occasions by hugging her; placing his arm around her; approaching her from behind
8 and "poking her in the ribs" and touching her breasts with his thumbs.
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10 6) On or about December 17, 1999, Daugherty violated OAR 584-020-0040(4)(o) as defined in
11 OAR 584-020-0035(3)(a) when he failed to be honest with the Assistant Principal about
12 chewing tobacco in his classroom; On or about March 2, 2000, when he failed to be honest
13 with Principal Rickert about changing his clothing in the classroom in front of AC and
14 hugging AC; On or about March 25, 2000, when he failed to be honest with Medford Police
15 Detectives about his conduct involving AC; In May 2000, when he failed to be honest with
16 Brian Strickland, a Medford Police Department Polygraph examiner about touching AC.
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19 CONCLUSIONS OF LAW
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21 David Daugherty's actions constitute gross neglect of duty in violation of OAR 584-020-
22 0040(4)(f), (n) and (o).
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24 ORDER
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26 The Commission revokes the Oregon Basic Teaching License #303326, issued to David
27 Daugherty, DOB 03-11-68, SSN 544-94-4976, for gross neglect of duty.
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30 Dated this 11th day of May 2001.
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32 TEACHER STANDARDS AND PRACTICES COMMISSION
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34
35 By 
36 David V. Myton, Executive Director
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39 NOTICE OF APPEAL OR RIGHTS
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42 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW
43 MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM
44 THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE
45 PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.
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