1 2 3 4		BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON	
4	In th	ne Matter of the STIPULATION OF FACTS	
5		inistrative License of AND ORDER	
6		E ALFRED BACHMAN OF PUBLIC REPRIMAND	
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8		,	
9	On S	September 26, 1997, the Teacher Standards and Practices Commission informed Dale	
10	Alfred Bachman, through his attorney, Gary R. Ackley, that the Commission found sufficient		
11	evidence of violation of Standards for Competent and Ethical Performance of Oregon Educators		
12	to warrant a hearing regarding gross neglect of duty to act on knowledge of sexual abuse and		
13	sexual harassment of students. Mr. Ackley requested a hearing on Mr. Bachman's behalf on		
14	the allegations, but before a hearing date was set, the parties have agreed that their respective		
15	interest and the interests of the State are best served by a Stipulation of Facts and Order of		
16	Repr	imand as set forth below.	
17			
18		FINDINGS OF FACT	
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20	1.	Dale Alfred Bachman holds a Standard Administrative License endorsed for	
21		administrator and valid from July 31, 1996 to August 1, 2001.	
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23	2.	Bachman was employed by Springfield School District as a Vice-Principal and Athletic	
24 25		Director at Thurston High School during 1992-96 when the alleged incidents occurred.	
26	3.	In 1994, Bachman failed to report his knowledge of sex abuse (under ORS 419B.005) of	
27	٥.	female students by assistant coach, Fred Mondou, to the District Director of Secondary	
28		Education, Children's Services Division, or law enforcement authorities.	
29		Education, Children's Dervices Division, of law emoreciment audiorities.	
30	4.	In 1995, Bachman observed Rick Miller, an assistant volunteer volleyball coach, sitting	
31		in a restaurant booth with a female member of the high school volleyball team. Based	
32		on this observation, Bachman suspected that Miller and the student might be dating.	
33		Although Bachman spoke to Miller and asked Head Coach Weiseth about whether Mille	
34		and the student were involved, which both Miller and Weiseth denied, Bachman erred	
35		by not conducting an investigation and by not interviewing the student or other players	
36		on the team.	
3 <i>7</i>			
38	5.	On or about September 17, 1996, Bachman failed to demonstrate skill in managing the	
39		school, its students, staff and programs as required by lawful district policies when a	
40		female student reported to him that Warren Weiseth had sexually harassed her.	
41		Bachman reported Weiseth's inappropriate behavior to his supervisor, Wayne Hill,	
42		however, Bachman failed to conduct an adequate investigation to determine if the	
43		allegations were accurate, and he did not report the allegation of inappropriate behavior	
44		to other district administrators.	
45	_	Desired 1000 00 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
46 47	6.	During the 1992-93 school years, Bachman failed to take appropriate action against	
47 48		wrestling coaching staff involved in the "atomic sit-up" activity.	
40 49	7.	The above incidents are evidence that Bachman failed to demonstrate professional	
4 9 50		judgment as a Vice-Principal and Athletic Director of Thurston High School as required	
51		by OAR 584-20-010(5).	
52		by Orac 55 1 20 0 10(0).	
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 8. The Springfield School District investigation of Bachman's alleged negligence revealed that he was hindered in his ability to fulfill his duties by his supervisor. Based in part on this finding, the district chose to impose only a reprimand, a five day suspension without pay, and a plan of improvement as disciplinary action for neglect of duty.

Dale Alfred Bachman enters into this Stipulation of Facts with knowledge that the Teacher Standards and Practices Commission will adopt an Order of Public Reprimand for the above violations of Standards for Competent and Ethical Performance of Oregon Educators and this Order shall serve as the reprimand. This Stipulation is contingent upon approval and adoption of the Order by the Commission. If the Commission does not adopt this Order, neither Mr. Bachman nor the Commission are bound by these stipulations and Mr. Bachman retains all rights to a hearing on the allegations.

IT IS SO STIPULATED:

Dale Office Dackman

Dale Alfred Bachman

David V. Myton, Executive Director

Teacher Standards and Practices Commission

Date

ULTIMATE FINDINGS OF FACT

Dale Alfred Bachman neglected his duty as a Vice-Principal and Athletic Director when he failed to report allegations of sexual abuse and sexual harassment of students by his subordinates.

CONCLUSIONS OF LAW

ORS 342.175 authorizes TSPC to establish Standards for Competent and Ethical Performance of Oregon Educators (OAR 584, Division 20) to define gross neglect of duty. Failure to report sexual abuse and sexual harassment of students by subordinates violates OAR 584-20-025(3)(a) and OAR 584-20-035(3)(a).

OPINION

As an educator Dale Alfred Bachman is a mandatory reporter of child abuse regardless of his relationship with the alleged abuser. In this case, Bachman had supervisory responsibility for the coaches, assistant coaches and volunteer assistant coaches by virtue of his position as Athletic Director at Thurston High School. The district has, however, thoroughly investigated this matter and determined that Bachman was hindered in exercise of his duty by his supervisor. The district has also imposed a sanction for neglect of duty and has required a plan of improvement focused on district and TSPC Standards. These facts are taken into consideration in imposing only a Public Reprimand by TSPC.

1	ORDER
2 3 4 5 6 7	The Commission accepts the Stipulation of Facts outlined above and adopts an Order of Public Reprimand for Dale Alfred Bachman for failure to report sexual abuse and sexual harassment of students by subordinates and this Order shall serve as the reprimand.
6 7 8 9	Dated this
10	TEACHER STANDARDS AND PRACTICES COMMISSION
11 12 13 14 15	By: David V. Myton, Executive Director
17 18 19 20	Approved as to Form:
21 >	Lantelle 4/29/98
23 /	Gary R. Ackley, Attorney Date
24	For Dale Alfred Bachman
25	For Date Affect Bachillan
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29	Joe McKeever, Assistant Attorney General Date
30	Joe McKeever, Assistant Attorney General Date
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32	CERTIFICATE OF MAILING
33	CERTIFICATE OF MAILING
34	I hereby certify that I served the foregoing order by mailing a true copy thereof certified by me
35	as such by U.S. Certified Mail with Return Receipt Requested to attorney for Dale Alfred
36	Bachman:
37	Daciman.
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45	Dated this, 1998.
46	day of, 1990.
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49	By Darlene 4. Amile
50	Charlene A. Smith
51	Executive Assistant to the Commission