1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 2 3 4 OF THE STATE OF OREGON In the Matter of the STIPULATION OF FACTS AND) 5 6) Educator License of FINAL ORDER OF REVOCATION TIMOTH J. COMMINS 7 8 On January 31, 2019, the Teacher Standards and Practices Commission (Commission) 9 received a report from the Crook County School District (District) indicating Timothy J. 10 Commins (Commins) may have committed an act of gross neglect of duty and/or gross 11 unfitness, specifically, that Commins engaged in inappropriate teacher/student boundaries with 12 a student and her family. 13 Commins fully cooperated with the Commission's investigation into this matter. After 14 review of the matters alleged, Commins and the Commission agree that their respective 15 interests, together with the public interest, are best served by a stipulation to certain facts and 16 the revocation of Commins' Oregon educator license. 17 This Order sets forth the facts upon which the parties have agreed and the sanction to be 18 imposed. Commins stipulates that there are sufficient evidence contained in the Commission's 19 files and records to support the findings of fact and conclusions of law set forth below. In 20 entering into this stipulation, Commins waives the right to a hearing to contest the findings of 21 fact, conclusions of law and order set forth below. 22 By signing below, Commins acknowledges, understands, stipulates, and agrees to the following: (i) he has been fully advised of his rights to notice and a hearing to contest the 23 24 findings of fact, conclusions of law, and order set forth below, and fully and finally waives all 25 such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final 26 Order of Revocation (Stipulation and Final Order); (ii) this Stipulation and Final Order is a 27 public document and disclosed to the public upon request by the Commission; (iii) this 28 Stipulation and Final Order is contingent upon and subject to approval and adoption by the 29 Commission. If the Commission does not approve and adopt this Stipulation and Final Order, 30 then neither Commins nor the Commission are bound by the terms herein; (iv) he has fully read 31 this Stipulation and Final Order, and understands it completely; (v) he voluntarily, without any 32 force or duress, enters into this Stipulation and Final Order and consents to issuance and entry 33 of the Stipulated Final Order below; (vi) he states that no promise or representation has been made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an 34

attorney regarding this Stipulation and Final Order and has been fully advised with regard to his

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rights thereto, or waives any and all rights to consult with an attorney prior to entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order below.

STIPULATION OF FACT

- Timothy J. Commins has been licensed by the Commission since June 25, 2007. Commins holds a Professional Teaching License, with endorsements in Foundational Social Studies (PK-12); Foundation Science (PK-12); Elementary Multiple Subjects (PK-12);
- Foundational Mathematics (PK-12); and Legacy Middle Level (PK-12), valid from March 13, 2017, through March 12, 2022. During all relevant times, Commins was employed by the Crook County School District (CCSD).
- 2. On January 31, 2019, the Commission received a report from the CCSD indicating Commins may have committed acts which constitute gross neglect of duty and/or gross unfitness. The misconduct report alleged Commins engaged in inappropriate teacher/student boundaries with a student and her family.
 - 3. Investigation determined that beginning the school year of 2016-2017, Commins established an unprofessional, personal relationship with 10-year-old female student in his fifth grade classroom. During parent/teacher conferences with the student's mother, Commins informed the mother he wanted to be a positive role model for her daughter and began communicating directly with the mother and daughter by phone, text, and social media. Commins arranged with the mother to allow him to take the student and her younger sibling for visits and outings. During the summer of 2017, Commins requested to take the student on outings approximately thirty (30) times and requested the student visit him at his residence approximately thirty (30) times.

In August 2017, the mother became uncomfortable with Commins' relationship with her daughter and stopped responding to communications from Commins. In September 2017, Commins delivered a box of gifts for the mother and daughter, along with a letter asking for reconciliation. The mother contacted the police, who contacted Commins. CCSD officials provided Commins with clear expectations to cease all contact with the mother and the daughter and to stay away from the family's residence. Commins adhered to that directive for several months. In December 2017, in response to the student calling herself "garbage" in a Facebook post, Commins posted comments on the student's Facebook page stating she was "dazzlingly beautiful, joy-inspiring, and heart-healing". Commins had no further contact with the family until October 2018, when he secretly placed a crockpot of food for

1 the family on the curb side of the street near the family's residence. On December 6, 2018, 2 Commins covertly sent the student a letter via the school district mail system. In the letter, 3 Commins told the student he missed her and hoped he could continue their relationship. On 4 January 9, 2019, Commins was cited by police for Criminal Trespass for the crockpot, and 5 the police warned him about felony stalking laws. The trespass charges were later dropped. 6 In February 2019, Commins resigned from his employment with CCSD in lieu of termination 7 for policy violations related to his conduct. 8 9 Commins, a former U.S. Army Ranger and Pathfinder, explained to CCSD and TSPC in the 4. 10 course of their respective investigations that he felt a duty to connect with and protect the 11 student due to a significant traumatic military incident he experienced related to a similarly 12 aged child. Commins has voluntarily undertaken over a year of mental health counseling to 13 help him heal from past military-related trauma and clarify professional boundaries, and has 14 received an independent psychological evaluation indicating he is not a risk to students. 15 IT IS SO STIPULATED: Timothy J. Commins 16 17 Trent Danowski
Trent Danowski, Deputy Director
Teacher Standard 12-15-2020 18 19 Teacher Standards and Practices Commission 20 21 22 CONCLUSIONS OF LAW 23 Timothy J. Commin's conduct described above constitutes gross neglect of duty in 24 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-25 0010(1) (Recognize the worth and dignity of all persons and respect for each individual), OAR 26 584-020-0010(5) (Use professional judgment), OAR 584-020-0025(2)(e) (Using district lawful 27 and reasonable rules and regulations); OAR 584-020-0040(4)(0) as it incorporates OAR 584-28 020-0035(1)(b) (Refrain from exploiting professional relationships with any student for 29 personal gain, or in support of persons or issues), OAR 584-020-0035(1)(c)(A) (Not 30 demonstrating or expressing professionally inappropriate interest in a student's personal life), and OAR 584-020-0035(1)(c)(D) (Honoring appropriate adult boundaries with students in 31 32 conduct and conversations at all times). 33 The Commission's authority to impose discipline in this matter is based upon ORS 34 342.175.

1	FINAL ORDER
2	The Commission hereby revokes Commins' Oregon educator license.
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4	IT IS SO ORDERED THIS day of February, 2021.
5	TEACHER STANDARDS AND PRACTICES COMMISSION
	By: Anthony J. Rosiles Minds
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7	Dr. Anthony Rosilez, Executive Director
8	NOTICE OF APPEAL OR RIGHTS
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10	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
11	BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE
12	SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF
13	ORS 183.482 TO THE OREGON COURT OF APPEALS.