1 2 3 4	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON	
4 5 6 7 8	In the Matter of the DEFAULT ORDER OF Educator License of REVOCATION OF RIGHT TO WARREN J. WILSON APPLY FOR LICENSURE	
9	On October 30, 2020, the Teacher Standards and Practices Commission	
10	(Commission) issued a Notice of Opportunity for Hearing to Warren J. Wilson, (Wilso	n)
11	in which the Commission charged him with Gross Neglect of Duty and /or Gross	
12	Unfitness. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receip	ot
13	7019 2970 0000 4904 0860 to the address on file with the Commission. The Notice	
14	designated the Commission file as the record for purposes of proving a prima facie cas	se.
15	The Certified Mail receipt was returned to the Commission signed. The regular first	
16	class mail was not returned to the Commission, and assumed delivered. The Notice of	•
17	Opportunity of Hearing, dated September 2, 2020, and signed by Anthony Rosilez,	
18	Executive Director, stated:	
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20 21 22 23 24 25 26 27 28 29	"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, WITHDRAW YOUR REQUEST FOR HEARING, OR IF YOU FAIL TO APPEAR AT A HEARING, OR NOTIFY THE COMMISSION THAT YOU WILL NOT APPEAR AT HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."	
30 31	On November 10, 2020, TSPC spoke with Wilson on the phone, and at that time	e
32	he indicated that he did not want a hearing. Wilson stated he wanted his case to go int	
33	default. TSPC informed him that his case would officially go into default on November	
34	26, 2020, and if decided to change his mind about a hearing, he would need to notify	5
35	TSPC before this date. As of the drafting of this order, March 4, 2021, TSPC has not	
36	heard from Wilson. The Commission, therefore, finds Wilson to be in default and ente	rs
37	the following findings of fact, conclusions of law, and final order, based on the files and	
38	records of the Commission concerning this matter.	

## FINDING OF FACT

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1. The Commission first licensed Wilson on March 2, 1981. Wilson held a Professional Teaching License, with an endorsement in Elementary-Multiple Subjects, valid from July 21, 2017 through March 10, 2023. On November 9, 2017, Wilson's Oregon educator license was suspended by the Commission for violation of Oregon Administrative Rules. Wilson did not apply for reinstatement once the suspension was complete. During all relevant times, Wilson was employed by the Baker School District (BSD) or Wallowa School District (WSD).

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2. On March 20, 2019, TSPC received a report from the BSD alleging that during the fall of 2018, Wilson had inappropriately touched several female students while employed as the Baker High School Junior Varsity and/or Varsity Head Volleyball Coach. Multiple students were interviewed during the course of the district investigation, and no less than five reported that Wilson touched them inappropriately during practice and games. The students reported Wilson placed his hands on their hips, thighs, grabbed their hands, and touched the sides of their abdomen, lower backs and shoulders. Additionally, it was reported that Wilson interlaced his fingers with students when giving them high fives that students stated would "linger." It was also reported that Wilson grabbed students' faces with both of his hands when speaking to them on at least two separate occasions. One female student reported that Wilson walked up behind her while she was having an asthma attack and chose to posture behind her, intertwining his fingers with hers, and placed his hands with hers above her up on the wall. Students reported that Wilson's actions made them feel uncomfortable. For this behavior, the BSD required that Wilson relinquish his coaching duties effective immediately, which he did. BSD stated in their investigation that Wilson violated a prior 2015 directive not to physically contact students and violated TSPC rules.

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3. The misconduct cited above is similar behavior to complaints the Wallowa School District had received regarding Wilson in 2017. In that case, TSPC Case #2015-08-0010, Wilson was found to have inappropriately touched female athletes he

coached by touching or patting them on the lower back, providing them with hugs, playing with athlete's hair/ear lobes, and stretching female athletes alone in a locker room without other students. On November 9, 2017, the Commission issued Wilson a sixty day suspension of licensure and two years of probation that would commence upon reinstatement of his Oregon educator license for this incident. Since Wilson did not reinstate his Oregon educator license, he was never placed on probation.

4. On July 8, 2020, Wilson interviewed with TSPC investigative staff, and denied the allegations listed above. Wilson indicated that he never touched any of his students aside from occasionally placing his hands on their shoulders or upper backs when they were walking off the court during a game to "encourage them." Wilson also stated during his interview that the reports about touching students had been done in response to certain players not getting enough playing time. Wilson stated that students and parents had fabricated the claims of misconduct against him in order to discredit him and out of retaliation.

## CONCLUSIONS OF LAW

The conduct described above in section two (2) constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0025(2)(e) (*Using district lawful and reasonable rules and regulations*); OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(1)(b) (*Refrain from exploiting professional relationships with any student for personal gain, or in support of persons or issues*), OAR 584-020-0035(1)(c)(A) (*Not 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 conduct and conversations at all times*).

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

## FINAL ORDER

The Commission accepts Wilson's request to proceed with a Default Order and hereby permanently revokes Wilson's right to apply for licensure.

1	IT IS SO ORDERED THIS 23 day of March, 2021
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3	TEACHER STANDARDS AND PRACTICES COMMISSION
4	By:J. Rosiles
5	Dr. Anthony Rosilez, Executive Director
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7	NOTICE OF APPEAL OR RIGHTS
8	VOLLADE ENTITLED TO HIDIOIAL DEVIEW OF THIS OPPED. HIDIOIAL DEVIEW MAY
	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
10	BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE
11	SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF
12	ORS 183.482 TO THE OREGON COURT OF APPEALS.