1 2 2	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
3 4 5 6 7 8	In the Matter of the Educator ) DEFAULT ORDER OF License of ) SUSPENSION AND BRADLEY D. HENSHAW ) PROBATION
9	On July 30, 2020, the Teacher Standards and Practices Commission (Commission)
10	issued a Notice of Opportunity for Hearing to Bradley D. Henshaw (Henshaw) in which the
11	Commission charged him with Gross Neglect of Duty. The Notice was sent via U.S. First
12	Class Mail and U.S. Certified Mail Receipt 7017 0190 0000 6246 7477 to the address on file
13	with the Commission. The Notice designated the Commission file as the record for purposes
14	of proving a prima facie case. The Certified Mail receipt was not returned to the
15	Commission. The first class mail was not returned to the Commission and assumed
16	delivered. The Notice of Opportunity of Hearing, dated July 30, 2020, and signed by
17	Anthony Rosilez, Executive Director, stated:
18 19 20 21 22 23 24 25 26 27	"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, 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."
28	Henshaw did not request a hearing. The Commission, therefore, finds Henshaw to be in
29	default and enters the following findings of fact, conclusions of law, and final order, based
30	on the files and records of the Commission concerning this matter.
31	FINDINGS OF FACT
32 33 34 35 36 37 38 39	1. The Commission has licensed Henshaw since September 22, 1983. Henshaw currently holds a Professional Teaching License, with endorsements in Chemistry (PK-12), Integrated Science (PK-12), and Physics (PK-12), valid from March 11, 2019, through March 10, 2024. During all relevant times, Henshaw was employed by the Myrtle Point School District (MPSD).
40 41	2. On August 22, 2019, TSPC received a Screening Report from Oregon's Department of Human Services (DHS) alleging Henshaw made a female high school student, who

- was also Henshaw's neighbor, feel uncomfortable by sending text messages to the student. The reporting party believed the texts became more explicit after the student turned eighteen years old and that Henshaw had been grooming the student. Additionally, on August 26, 2018, TSPC received a report from MPSD with the same allegation that was in the DHS report.
- 3. According to the investigation conducted by MPSD, the text messaging began around September 2018 and continued into June 2019. Henshaw admitted to texting the student during an interview with school administration. Henshaw also admitted to giving the student a small cash graduation gift and that some of his text comments were over the line. During the district investigation, Henshaw stated that the student was wise beyond her years and a blast to hang out with.
- 4. During the interview with TSPC investigative staff on March 16, 2020, Henshaw admitted to exchanging text messages with the student, who was also his neighbor. Henshaw admitted that this was "not a good practice." Henshaw indicated that he had messaged the student about having a good tongue, (silver-tongue) and reported that his intent was to compliment the student that she was a good speaker. Henshaw indicated that his comment didn't come out right, so he immediately sent a follow-up message to the student asking her to ignore the previous message. Henshaw reported that many of the text messages he sent the student were done after he had consumed a six-pack of beer. Henshaw indicated in the interview that he would no longer text message with students and had learned his lesson.

## CONCLUSIONS OF LAW

5. Bradley D. Henshaw's conduct, as described above, constitutes 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*), OAR 584-020-0035 (1)(c)(B) (*Not accepting or giving or exchanging romantic or overly personal gifts or notes with a student*), 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

40 342.175.

1 FINAL ORDER The Commission hereby issues a sixty (60) day suspension upon Bradley Henshaw's 2 Oregon educator license. Additionally, the Commission is imposing a two (2) year period of 3 probation upon Bradley Henshaw's Oregon educator license to commence upon 4 reinstatement of his license. 5 6 7 IT IS SO ORDERED THIS 9 TEACHER STANDARDS AND PRACTICES COMMISSION 10 11 Anthony J. Rosila 12 Dr. Anthony Rosilez, Executive Director 13 14 15 16 NOTICE OF APPEAL OR RIGHTS 17 18 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW 19 MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM 20 THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE 21 PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS. 22