1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON 3 4 In the Matter of the DEFAULT ORDER OF 5 **Educator License of** SUSPENSION OF EDUCATOR 6 ROSS J. MILLER LICENSE AND PROBATION 7 8 On June 23, 2021, the Teacher Standards and Practices Commission (Commission) issued a 9 Notice of Opportunity for Hearing to Ross J. Miller (Miller) in which the Commission charged him 10 with Gross Neglect of Duty. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail 11 Receipt 7019 2970 0001 4903 8720 to the address on file with the Commission. The Notice 12 designated the Commission file as the record for purposes of proving a prima facie case. The 13 Certified Mail receipt was returned to the Commission. The regular, first class mail was not returned 14 to the Commission, and was assumed to have been delivered. The Notice of Opportunity of Hearing, 15 dated June 23, 2021, and signed by Anthony Rosilez, Executive Director, stated: 16 17 "IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD. 18 YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR 19 FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF 20 YOU DO NOT REQUEST A HEARING, WITHDRAW YOUR REQUEST FOR HEARING, IF 21 YOU FAIL TO APPEAR AT A HEARING, OR NOTIFY THE COMMISSION THAT YOU WILL 22 NOT APPEAR AT HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT 23 WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR 24 OTHER DISCIPLINE." 25 26 On September 17, 2021, the Commission received an email from Miller waiving his right for a 27 hearing. The Commission, therefore, finds Miller to be in default and enters the following findings 28 of fact, conclusions of law, and final order, based on the files and records of the Commission 29 concerning this matter. 30 31 FINDINGS OF FACT 32 1. The Commission has licensed Miller since the 1970's. Miller held a Professional Teaching 33 License, with an endorsement in English Language Arts (PK-12), valid from July 28, 34 2016, through July 3, 2021. During all relevant times, Miller was employed by the 35 Santiam Canyon School District (SCSD). 36 2. On October 10, 2019, the Commission received a report from the SCSD indicating Miller 37 may have committed an act which constitutes gross neglect of duty. The District reported 38 while on a school sponsored trip to Ashland, Oregon, Miller consumed alcohol prior to

1	suj	pervising students at a school sponsored activity and then transported students to their
2	hot	tel at the conclusion of the activity.
3	3. Inv	vestigation determined that September 14-16, 2019, Miller and several other District
4	sta	ff chaperoned students on a school sponsored trip to Ashland, Oregon. At
5	ap _]	proximately 4:15 PM, Miller met with other chaperones at a restaurant and consumed
6	a b	eer. At approximately 5:00 PM, Miller joined several other chaperones for dinner at
7	the	e restaurant and Miller consumed another beer with his meal. At approximately 6:00
8	PM	I, at the end of his meal, Miller consumed an alcoholic dessert beverage. At
9	ap _]	proximately 7:50 PM, Miller and the other chaperones arrived at the activity to
10	suj	pervise the students already present at the venue. At approximately 10:45 PM, upon
1	cor	nclusion of the activity, Miller and several other chaperones drove students back to the
12	ho	tel in District provided vehicles.
13		
14		CONCLUSIONS OF LAW
15	Miller'	s conduct described in section three (3) above constitutes gross neglect of duty in
16	violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-	
17	0010(5) (Use professional judgment) and OAR 584-020-0025(2)(e) (Using district lawful and	
18	reasonable ru	les and regulations).
19		
20	The Co	ommission's authority to impose discipline in this matter is based upon ORS 342.175.
21		
22		FINAL ORDER
23	The Co	ommission hereby suspends Ross J. Miller's Oregon educator license for a period of 30
24	(30) days, to begin upon the date this order is signed and in effect.	
25	In add	ition, the Commission places Miller on probation for a period of three (3) years to
26	commence upon Miller's reinstatement from suspension. This probation period is subject to the	
27	following terms and conditions:	
28		
29	1. Mi	ller shall comply with the Standards for Competent and Ethical Performance of
30	Or	egon Educators under Oregon Administrative Rules Chapter 584, Division 020.
31	2. Mi	ller shall complete a Commission approved training course on ethics within six (6)
32	mo	onths of the adoption of this final order and provide evidence of successful
33	co	mpletion.

1	Violation of any term or condition of probation shall constitute an independent basis for the		
2	Commission to revoke Miller's Oregon educator license or otherwise impose discipline, after first		
3	providing Miller with notice and opportunity for hearing.		
4	0 .		
5	IT IS SO ORDERED THIS day of October, 2021.		
6	TEACHER STANDARDS AND PRACTICES COMMISSION		
7 8 9	By:		
11 12 13			
13			
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15			
16	NOTICE OF APPEAL OR RIGHTS		
17 18	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE		
19	OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF		
20	THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO		
21	THE OREGON COURT OF APPEALS.		