| 1<br>2<br>3  |   | BEFORE THE T  |                   |             | S AND PRACTICES COMMISSION<br>OF OREGON        |  |
|--|---|---|-------------------|-------------|--|--|
| 4<br>5<br>6  | Edi   | the Matter of the<br>ucator License of<br>RL E. ATKINS  |                   | )<br>)<br>) | DEFAULT ORDER OF<br>REVOCATION OF<br>LICENSURE |  |
| 7<br>8   |   | Ou August 22 222  | ale a Teach an Ca | 11          |  |  |
| 9  | On August 30, 2023, the Teacher Standards and Practices Commission (Commission)                 |   |                   |             |  |  |
|  | issued a Notice of Opportunity for Hearing to Karl E. Atkins (Atkins) in which the Commission   |   |                   |             |  |  |
| 10   | charged him with Gross Neglect of Duty and/or Gross Unfitness. The Notice was sent via U.S.     |   |                   |             |  |  |
| 11   | First Class Mail and U.S. Certified Mail Receipt 9589 0710 5270 0844 8653 05 to the address on  |   |                   |             |  |  |
| 12   | file with the Commission. The Notice designated the Commission file as the record for purposes  |   |                   |             |  |  |
| 13   | of proving a prima facie case. The Certified Mail return receipt was signed for on September 1, |   |                   |             |  |  |
| 14   | 2023, and returned to the Commission. The regular first-class mail was not returned to the      |   |                   |             |  |  |
| 15   | Commission, and assumed delivered. The Notice of Opportunity of Hearing, dated August 30,       |   |                   |             |  |  |
| 16   | 202   | 23, and signed by Anthor  | ny Rosilez, Exec  | utive Di    | rector, stated:                                |  |
| 17<br>18<br>19<br>20<br>21<br>22<br>23<br>24<br>25<br>26<br>27<br>28 | ent   | "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."  Atkins did not request a hearing. The Commission, therefore, finds Atkins to be in default and enters the following findings of fact, conclusions of law, and final order, based on the files and records of the Commission concerning this matter. |                   |             |  |  |
| 30   |   |   | FIND              | INGS (      | OF FACT  |  |
| 31   | 1)  | The Commission has lice   | ensed Atkins sir  | nce July    | 11, 2002. Atkins holds a Professional          |  |
| 32   |   | Teaching License, with  | an endorsement    | in Soci     | al Studies (PK-12), valid from October 12,     |  |
| 33   |   | 2020, through Novemb  | er 15, 2025. Dur  | ring all    | relevant times, Atkins was employed by the     |  |
| 34   |   | Scappoose School Distr  | ict (SSD).        |             |  |  |
| 35   |   |   |                   |             |  |  |
| 36   | 2)  | On May 11, 2023, the C  | ommission recei   | ived a s    | chool district misconduct report from the SSD  |  |
| 37   |   | indicating Atkins may h   | ave committed     | acts wh     | ich constitute gross neglect of duty and/or    |  |
| 38   |   | gross unfitness. The rep  | ort alleged that  | during      | the 2022-23 school year, Atkins made           |  |

inappropriate comments to female students at Scappoose High School which the SSD considered sexual harassment.

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- 3) Investigation found that from mid-March to early May 2023, while Atkins was a teacher at Scappoose High School, he had interactions with multiple students, many of them female students. Atkins was found to have made the following comments:
  - a) In March 2023, prior to the spring break, Atkins asked female students from one of his classes to stay after class. While alone with approximately five to six female students, Atkins said the best birth control was abstinence and that the girls should not let the boys do anything to them.
- b) On April 17, 2023, a female student was wearing a shirt with a sexually graphic acronym.
  Atkins told the student she would be it (the acronym) when she grew up, in about
  twenty-five (25) years.
  - c) On April 19, 2023, Atkins left his class unattended, went into another teacher's classroom while that class was in session, and began ranting to the students about his not being motivated to teach and being in purgatory for two years until retirement.
  - d) On April 24, 2023, while Atkins was walking a male student to another classroom, Atkins told several staff members in front of the student that the student was one of the most disrespectful (expletive) Atkins had ever been around.
  - e) On May 4, 2023, Atkins told a female student that when she was older, she was going to be hot.
  - f) On an unspecified date during the 2022-23 school year, several students observed Atkins in his classroom reading something written on a desk and saying the racial epithet twice.
  - g) On May 5, 2023, a female student had a portable massager and was demonstrating this on her leg to other students. Atkins asked if it was a toy, what was the student was doing with it, and then made a face like he was using it. Several students who observed this interaction believed Atkins' response was sexual in nature.
  - h) On May 5, 2023, Atkins spoke to a female student about her relationship with another student and told her she was attractive, smart, and funny and if he was fifteen, he would want to date her.

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4) Investigation found that on May 5, 2023, Atkins was placed on administrative leave pending an outcome to the district's investigation of complaints. On May 11, 2023, Atkins signed a separation agreement with the SSD, effective June 19, 2023.

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| 1                    | CONCLUSIONS OF LAW  |  |  |  |  |
|----------------------|---|--|--|--|--|
| 2                    | Karl E. Atkins's conduct described in section three (3) above constitutes gross neglect of  |  |  |  |  |
| 3                    | duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-  |  |  |  |  |
| 4                    | 020-0010(1) (Recognize the worth and dignity of all persons and respect for each individual),   |  |  |  |  |
| 5                    | OAR 584-020-0010(5) (Use professional judgment), OAR 584-020-0025(2)(e) (Using district   |  |  |  |  |
| 6                    | lawful and reasonable rules and regulations); OAR 584-020-0040(4)(0) as it incorporates   |  |  |  |  |
| 7                    | OAR 584-020-0035(1)(c)(D) (Honoring appropriate adult boundaries with students in   |  |  |  |  |
| 8                    | conduct and conversations at all times); and OAR 584-020-0040(4)(l) (Sexual harassment).  |  |  |  |  |
| 9                    | The Commission's authority to impose discipline in this matter is based upon ORS  |  |  |  |  |
| 10                   | 342.175.  |  |  |  |  |
| 11                   |   |  |  |  |  |
| 12                   | FINAL ORDER   |  |  |  |  |
| 13                   | The Commission hereby revokes Karl E. Atkins' Oregon educator license.  |  |  |  |  |
| 14                   |   |  |  |  |  |
| 15                   | IT IS SO ORDERED THIS day of September, 2023.   |  |  |  |  |
| 16                   |   |  |  |  |  |
| 17                   | TEACHER STANDARDS AND PRACTICES COMMISSION  |  |  |  |  |
| 18<br>19<br>20<br>21 | By:   |  |  |  |  |
| 22                   | NOTICE OF APPEAL OR RIGHTS  |  |  |  |  |
| 23<br>24             | YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE   |  |  |  |  |
| 25<br>26<br>27       | OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS |  |  |  |  |