

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   Teaching License of   )       DENIAL OF  
6   RICHARD ALLEN RUPPERT   )       TEACHING LICENSE  
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8                   On June 21, 2010, the Teacher Standards and Practices Commission (Commission) issued a  
9   Notice of Opportunity for Hearing to Richard Allen Ruppert (Ruppert) in which the Commission charged  
10   him with Gross Neglect of Duty pursuant to OAR 584-020-0040(4)(1), and OAR 584-050-0006(3)(d).  
11   The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7010 1410 0002 1902 5429  
12   to the address on file with the Commission. The Certified Mail was signed for by Richard Ruppert. The  
13   regular mail was not returned to the Commission. The Notice of Opportunity of Hearing, dated June 21,  
14   2010, and signed by Victoria Chamberlain, Executive Director, stated:

15                   "IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD,  
16                   YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR  
17                   FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL.  
18                   IF YOU DO NOT REQUEST A HEARING OR IF YOU FAIL TO APPEAR AT A HEARING,  
19                   THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE  
20                   THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."  
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22   Ruppert requested a hearing on September 1, 2010. On February 15, 2011, Ruppert withdrew his request  
23   for hearing. The Commission, therefore, finds Ruppert to be in default and enters the following findings  
24   of fact, conclusions of law and order, based on the files and records of the Commission concerning this  
25   matter.

26   **FINDINGS OF FACT**

- 27                   1. On May 13, 2010, the Commission received Ruppert's Application for Educator License form  
28                   C-1 in support of his application for a Substitute Teaching License, upon which he responded  
29                   "yes" to character question 8 indicating a previous criminal conviction.
- 30                   2. On October 9, 1967, Ruppert was arrested for Rape, Burglary, Assault with intent to Commit  
31                   Rape, and Attempted Rape by force. The specific conduct leading to Ruppert's arrest was that on  
32                   two separate occasions he followed women home in his car and presented himself at their doors  
33                   under the pretense of looking for someone with whom they were not acquainted. Ruppert  
34                   gained entry to the home and forced himself on the women and attempted to sexually assault  
35                   them. On both occasions Ruppert was unsuccessful in his sexual assault attempt and fled the

1 scene. On the second occasion Ruppert was apprehended by law enforcement a short time after  
2 his failed attempt and later confessed to these crimes.

3 3. Ruppert pled guilty to the above conduct and was subsequently convicted of Assault with the  
4 Intent to Commit Rape.

5 4. Following Ruppert's conviction for Assault with the Intent to Commit Rape, Ruppert was  
6 committed to the Atascadero State Hospital as a mentally disordered sex offender. In 1967  
7 Ruppert was diagnosed by two separate psychiatrists as having sociopathic personality disorder  
8 or alternately, psycho-neurosis dissociative reaction.

9 **CONCLUSIONS OF LAW**  
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11 Richard Allen Ruppert's conduct described in #2 and #3 above constitutes criminal conduct.

12 Rape is a crime listed in ORS 342.143(3)(a)(A) and pursuant to Oregon Administrative Rule 584-020-  
13 0040(1) the Commission will deny a license to any applicant or educator who, has been convicted of any  
14 of the crimes listed in ORS 342.143, or the substantial equivalent of any of those crimes if convicted in  
15 another jurisdiction, or convicted of attempt to commit such crimes as defined in 161.405.

16 Pursuant to OAR 584-050-0006(3)(d), the Executive Director may deny issuance of a license  
17 when there is evidence that the applicant may lack fitness to serve as an educator. Ruppert's mental  
18 confinement, as described in #4 above provides the Commission with such evidence.

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

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1 **FINAL ORDER**

2 The Commission hereby Denies Richard Allen Ruppert's application for an educator license.

3 IT IS SO ORDERED THIS 16<sup>th</sup> day of May, 2011.

4 TEACHER STANDARDS AND PRACTICES COMMISSION

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6  
7 By:   
8 Victoria Chamberlain, Executive Director

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13 NOTICE OF APPEAL OR RIGHTS

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15 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE  
16 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF THIS  
17 ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE  
18 OREGON COURT OF APPEALS.  
19

CERTIFICATE OF MAILING

I hereby certify that I served the foregoing notice of final order, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

Richard Allen Ruppert  
200 Macklyn Cove Dr. Apt 9  
Brookings, OR 97415

Dated this 13<sup>th</sup> day of June, 2011.

By: Melody Hanson  
Melody Hanson  
Executive Assistant