

1 inappropriate teacher / student boundaries. District and Commission investigations
2 indicate that several female students had complained to school administrators regarding
3 Davis' conduct. This conduct included Davis referring to the student(s) as "Gorgeous",
4 "beautiful" and telling them they should be in a beauty contest. These students advised
5 that in class Davis would "look down their shirts", touch their shoulders and their faces,
6 and generally make them feel uncomfortable.

- 7 3. Investigation into the allegations detailed in section two above, determined that similar
8 complaints about Davis' behavior were received by school staff during the spring of 2011,
9 from four separate, female, middle school students. Davis was counseled about student /
10 teacher boundaries and directed not to touch or otherwise make the students feel
11 uncomfortable. In the fall of 2011, administrators received another, similar list of
12 complaints by two different, female students. Davis was again counseled about his
13 alleged behaviors and told if it happened again, Davis would be excluded from substitute
14 teaching in the district.

15 CONCLUSIONS OF LAW

16 Davis's conduct described in section two (2) above constitutes gross neglect of duty in
17 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-
18 0010(1) (*Recognize the worth and dignity of all persons and respect for each individual*),
19 OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0015(2)(e) (*Skill in the*
20 *selection and use of teaching techniques conducive to student learning*), OAR 584-020-
21 0030(2)(b) (*Skill in communicating with administrators, students, staff, parents, and*
22 *other patrons*); OAR 584-020-0025(2)(e) (*Using district lawful and reasonable rules and*
23 *regulations*); and OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(1)(c)(D)
24 (*Honoring appropriate adult boundaries with students in conduct and conversations at all*
25 *times*).

26 Davis's conduct described in section three (3) above constitutes gross neglect of duty
27 in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-
28 020-0010(5) (*Use professional judgment*), and OAR 584-020-0030(2)(b) (*Skill in*
29 *communicating with administrators, students, staff, parents, and other patrons*).

30 The Commission's authority to impose discipline in this matter is based upon ORS
31 342.175.

1 **FINAL ORDER**

2 The Commission hereby revokes Richard James Davis' Right to Apply for an
3 Educator licensure.

4 IT IS SO ORDERED THIS 22nd day of October, 2013.

5 TEACHER STANDARDS AND PRACTICES COMMISSION



6 By: _____
7 Victoria Chamberlain, Executive Director

8 **NOTICE OF APPEAL OR RIGHTS**

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11 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW
12 MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM
13 THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE
14 PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.

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 James Davis
1585 Barnes Ave SE
Salem, OR 97306-1055

Dated this 22nd day of October, 2013.

By: Patty Liddell
Patty Liddell
Investigative Assistant