

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) REVOCATION OF RIGHT
 6 STEVEN TODD ELLER) TO APPLY

7
 8 On July 13, 2010, the Teacher Standards and Practices Commission
 9 (Commission) issued a Notice of Opportunity for Hearing to Steven Todd Eller (Eller) in
 10 which the Commission charged him with Gross Neglect of Duty pursuant to OAR 584-
 11 020-0010(5), OAR 584-020-0040(4)(c) and OAR 584-020-0040(4)(g). The Notice was
 12 sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7010 0290 0001 6831
 13 4183 to the address on file with the Commission. Mr. Eller signed for the Notice on
 14 July 14, 2010. The Notice of Opportunity of Hearing, dated July 13, 2010, and signed
 15 by Victoria Chamberlain, Executive Director, stated:

16 "IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY
 17 PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED
 18 UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR
 19 REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF
 20 YOU FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN
 21 ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR
 22 SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."

23
 24 Mr. Eller did not request a hearing. The Commission, therefore, finds Mr. Eller to be in
 25 default and enters the following findings of fact, conclusions of law and order, based on
 26 the files and records of the Commission concerning this matter.

27 **FINDINGS OF FACT**

- 28 1. Mr. Eller has been licensed as a teacher in Oregon since January 23, 2003. Mr. Eller's
 29 Initial I Teaching License issued on November 6, 2006, expired on July 27, 2010.
 30 During all relevant times, Eller worked as a student teacher with Willamette Leadership
 31 Academy, a charter school sponsored by the Fern Ridge School District.
- 32
 33 2. On October 22, 2007, a parent of a student contacted Willamette Leadership Academy
 34 regarding an advertisement that Eller posted on web site www.craigslist.org. The ad
 35 titled, "the title is harder than the ad itself," read:
 36

1 "My wife has a very good reason for a lowered libido right now, and mine seems
2 to be quite a bit higher than hers. We are poly and both undergoing a lot of
3 stress. Anyone want to help? I just need physical intimacy and sex. She just
4 needs someone to listen better than I, and maybe some assistance. Email if you
5 are between the ages of 18 and 35, a working individual and willing to move very
6 slowly toward a relationship, or not at all. For those interested in strictly casual
7 sex, I am 6'2", very muscular, bit of a gut and the high side of average under the
8 pants. I'm skilled with my tongue and am profficient [sic] at oral, biting, kissing,
9 scratching, nuzzleing [sic], and slow methodical fucking."

10
11 Eller's picture was included in the ad. The parent contacted the school because her
12 son, one of Mr. Eller's students, saw the ad. Mr. Eller had previously discussed the
13 relationship with his wife to students, including being "swingers".
14

- 15 3. On March 20, 2007, Mr. Eller struck a student with a walking stick he used. Mr. Eller
16 then prevented the student from leaving his physical presence by throwing the stick at
17 the door while chasing the student. Mr. Eller then told the student, "you know what is
18 even funnier?" and proceeded to grasp the student around the neck until someone
19 exclaimed "look, his face is turning purple," at which point Mr. Eller released his grasp of
20 the student.
21
- 22 4. On April 4, 2008, the Willamette Leadership Academy documented Mr. Eller engaging
23 in an argument with a female student and telling her that her make-up was slutty.
24
- 25 5. On April 10, 2008, the Willamette Leadership Academy documented an instance of Mr.
26 Eller calling a student a prick.
27
- 28 6. On September 23, 2008, Mr. Eller yelled at a colleague and became angry to such a
29 degree as to suffer a seizure. Mr. Eller acknowledged losing control of his body to a
30 degree that led him to pass out. Mr. Eller ultimately resigned from the Willamette
31 Leadership Academy citing in part health concerns.

32 CONCLUSIONS OF LAW

33 Mr. Eller's conduct in posting the advertisement on the internet constitutes gross neglect
34 of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR
35 584-020-0010(5) (*Use professional judgment*); and OAR 584-020-0040(4)(o) as it
36 incorporates OAR 584-020-0035(3)(a) (*Maintain the dignity of the profession by respecting
37 and obeying the law, exemplifying personal integrity and honesty*). Mr. Eller's violent
38 conduct on March 20, 2007, constitutes gross neglect of duty in violation of ORS
39 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use
40 professional judgment*); OAR 584-020-0040(4)(e) (*Violent or destructive behavior on school
41 premises or at a school-sponsored activity*), and OAR 584-020-0040(4)(d) (*Unreasonable*

1 *physical force against students, fellow employees, or visitors to the school, except as*
2 *permitted under ORS 339.250). Mr. Eller's inappropriate language toward a student on*
3 *April 4 and 10, 2008, constitutes gross neglect of duty in violation of ORS 342.175(1)(b);*
4 *OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (Use professional*
5 *judgment), OAR 584-020-0010(1) (Recognize the worth and dignity of all persons and*
6 *respect for each individual) and OAR 584-020-0030(2)(b) (Skill in communicating with*
7 *administrators, students, staff, parents, and other patrons). Mr. Eller's conduct and his*
8 *inability to control his anger on September 23, 2008, constitutes gross neglect of duty in*
9 *violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-*
10 *0010(5) (Use professional judgment); and OAR 584-050-0006(3)(d) (The Executive*
11 *Director has evidence that the applicant may lack fitness to serve as an educator). This*
12 *also constitutes lack of fitness under ORS 342.143(2). The Commission's authority to*
13 *impose discipline in this matter is based upon ORS 342.175.*

14
15 **FINAL ORDER**

16 The Commission hereby revokes Steven Todd Eller's right to apply for an
17 Oregon educator license.

18 IT IS SO ORDERED THIS 5th day of November, 2010.

19 TEACHER STANDARDS AND PRACTICES COMMISSION

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21
22 By: 
23 Victoria Chamberlain, Executive Director
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28 **NOTICE OF APPEAL OR RIGHTS**

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30 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
31 BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE
32 SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS
33 OF ORS 183.482 TO THE OREGON COURT OF APPEALS.
34

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:

Steven Todd Eller
81169 Beach Rd.
Creswell OR 97426

Dated this 16th day of June, 2011.

By: Melody Hanson
Melody Hanson
Executive Assistant