

BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION  
OF THE STATE OF OREGON

4	In the Matter of the	)	
5	Teaching License of	)	DEFAULT ORDER OF
6	TIMOTHY JAMES RASH	)	PUBLIC REPRIMAND

9 On May 13, 2009, the Teacher Standards and Practices Commission (Commission)  
10 issued a Notice of Opportunity for Hearing to Timothy James Rash (Rash) in which the  
11 Commission charged him with Gross Neglect of Duty pursuant to OAR 584-020-0040(4)(n).  
12 The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7008 1140 0002  
13 8580 9263 to the address on file with the Commission. The U.S. Postal Service returned the  
14 certified mail receipt, signed by Mr. Rash, to the Commission on May 15, 2009. The Notice of  
15 Opportunity of Hearing, dated May 13, 2009, and signed by Victoria Chamberlain, Executive  
16 Director, stated:

17 "You, Timothy James Rash, are entitled to a hearing on the proposed action of the  
18 Commission. If you want a hearing, you must file a written request for a hearing with the  
19 Commission within 21 days of the date of this notice."  
20

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

24 **FINDINGS OF FACT**

- 25 1. Mr. Rash was first enrolled in the Charter School Registry on September 7, 2007. His  
26 current registry was issued on September 7, 2007 and is valid until September 7, 2010.
- 27 2. On or about January 16, 2008, while teaching in the Camas Valley School District, Mr.  
28 Rash grabbed a student by the arm and led him away from an altercation with another  
29 student for a distance of approximately 25 feet. After the student pulled free, Mr. Rash  
30 grabbed his arm a second time.
- 31 3. While employed with the Camas Valley School District, Mr. Rash made inappropriate  
32 comments with sexual orientation overtones to students in his class. These comments

1 included suggesting that students were gay or engaged in sexual activities, or using  
2 terms such as "fag" or "queer." In making these or other comments to students, Mr.  
3 Rash used profanity, including "shit;" "god-damn;" "son-of-a-bitch;" or "fuck." He also  
4 made comments to students in which he judged other colleagues or school officials.

#### 5 CONCLUSIONS OF LAW

6 Physically grabbing a student as described in paragraph 2 above constitutes gross  
7 neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(d) (*Unreasonable*  
8 *physical force against students, fellow employees, or visitors to the school, except as*  
9 *permitted under ORS 339.250*).

10 Making inappropriate comments as described in paragraph 3 above constitutes gross  
11 neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(o) as it incorporates  
12 584-020-0035(c)(D) (*Maintain an appropriate professional student-teacher relationship by*  
13 *honoring appropriate adult boundaries with students in conduct and conversations at all*  
14 *times*); OAR 584-020-0040(4)(n) as it incorporates 584-020-0010(5) (*Use professional*  
15 *judgment*).

#### 16 FINAL ORDER

17 The Commission hereby imposes a public reprimand on Timothy James Rash's Charter  
18 School Registration.

19 IT IS SO ORDERED THIS 10<sup>th</sup> day of August, 2009.

20 TEACHER STANDARDS AND PRACTICES COMMISSION

21  
22  
23 By:   
24 Victoria Chamberlain, Executive Director  
25

#### 26 NOTICE OF APPEAL OR RIGHTS

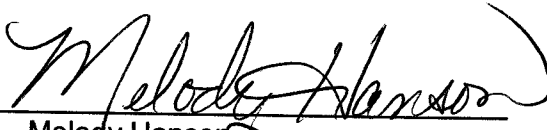
27  
28 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY  
29 BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE  
30 SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF  
31 ORS 183.482 TO THE OREGON COURT OF APPEALS.

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:

TIMOTHY JAMES RASH  
814 W. NEBO ST  
ROSEBURG OR 97470-2850

Dated this 22<sup>nd</sup> day of March 2010.

By:   
Melody Hanson  
Executive Assistant