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

In the Matter of the	)	STIPULATION OF FACTS
Administrative License of	)	AND ORDER
DALE ALFRED BACHMAN	)	OF PUBLIC REPRIMAND
	)	

On September 26, 1997, the Teacher Standards and Practices Commission informed Dale Alfred Bachman, through his attorney, Gary R. Ackley, that the Commission found sufficient evidence of violation of Standards for Competent and Ethical Performance of Oregon Educators to warrant a hearing regarding gross neglect of duty to act on knowledge of sexual abuse and sexual harassment of students. Mr. Ackley requested a hearing on Mr. Bachman's behalf on the allegations, but before a hearing date was set, the parties have agreed that their respective interest and the interests of the State are best served by a Stipulation of Facts and Order of Reprimand as set forth below.

FINDINGS OF FACT

1. Dale Alfred Bachman holds a Standard Administrative License endorsed for administrator and valid from July 31, 1996 to August 1, 2001.
2. Bachman was employed by Springfield School District as a Vice-Principal and Athletic Director at Thurston High School during 1992-96 when the alleged incidents occurred.
3. In 1994, Bachman failed to report his knowledge of sex abuse (under ORS 419B.005) of female students by assistant coach, Fred Mondou, to the District Director of Secondary Education, Children's Services Division, or law enforcement authorities.
4. In 1995, Bachman observed Rick Miller, an assistant volunteer volleyball coach, sitting in a restaurant booth with a female member of the high school volleyball team. Based on this observation, Bachman suspected that Miller and the student might be dating. Although Bachman spoke to Miller and asked Head Coach Weiseth about whether Miller and the student were involved, which both Miller and Weiseth denied, Bachman erred by not conducting an investigation and by not interviewing the student or other players on the team.
5. On or about September 17, 1996, Bachman failed to demonstrate skill in managing the school, its students, staff and programs as required by lawful district policies when a female student reported to him that Warren Weiseth had sexually harassed her. Bachman reported Weiseth's inappropriate behavior to his supervisor, Wayne Hill, however, Bachman failed to conduct an adequate investigation to determine if the allegations were accurate, and he did not report the allegation of inappropriate behavior to other district administrators.
6. During the 1992-93 school years, Bachman failed to take appropriate action against wrestling coaching staff involved in the "atomic sit-up" activity.
7. The above incidents are evidence that Bachman failed to demonstrate professional judgment as a Vice-Principal and Athletic Director of Thurston High School as required by OAR 584-20-010(5).

1 8. The Springfield School District investigation of Bachman's alleged negligence revealed  
2 that he was hindered in his ability to fulfill his duties by his supervisor. Based in part  
3 on this finding, the district chose to impose only a reprimand, a five day suspension  
4 without pay, and a plan of improvement as disciplinary action for neglect of duty.  
5

6 Dale Alfred Bachman enters into this Stipulation of Facts with knowledge that the Teacher  
7 Standards and Practices Commission will adopt an Order of Public Reprimand for the above  
8 violations of Standards for Competent and Ethical Performance of Oregon Educators and this  
9 Order shall serve as the reprimand. This Stipulation is contingent upon approval and adoption  
10 of the Order by the Commission. If the Commission does not adopt this Order, neither Mr.  
11 Bachman nor the Commission are bound by these stipulations and Mr. Bachman retains all  
12 rights to a hearing on the allegations.  
13

14 IT IS SO STIPULATED:  
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16  
17 *Dale Alfred Bachman*  
18 Dale Alfred Bachman

4-29-98  
Date

19  
20  
21 *David V. Myton*  
22 David V. Myton, Executive Director  
23 Teacher Standards and Practices Commission

4/10/98  
Date

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28 **ULTIMATE FINDINGS OF FACT**

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30 Dale Alfred Bachman neglected his duty as a Vice-Principal and Athletic Director when he  
31 failed to report allegations of sexual abuse and sexual harassment of students by his  
32 subordinates.  
33

34 **CONCLUSIONS OF LAW**

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36 ORS 342.175 authorizes TSPC to establish Standards for Competent and Ethical Performance  
37 of Oregon Educators (OAR 584, Division 20) to define gross neglect of duty. Failure to report  
38 sexual abuse and sexual harassment of students by subordinates violates OAR 584-20-  
39 025(3)(a) and OAR 584-20-035(3)(a).  
40

41 **OPINION**

42  
43 As an educator Dale Alfred Bachman is a mandatory reporter of child abuse regardless of his  
44 relationship with the alleged abuser. In this case, Bachman had supervisory responsibility for  
45 the coaches, assistant coaches and volunteer assistant coaches by virtue of his position as  
46 Athletic Director at Thurston High School. The district has, however, thoroughly investigated  
47 this matter and determined that Bachman was hindered in exercise of his duty by his  
48 supervisor. The district has also imposed a sanction for neglect of duty and has required a  
49 plan of improvement focused on district and TSPC Standards. These facts are taken into  
50 consideration in imposing only a Public Reprimand by TSPC.  
51

ORDER

The Commission accepts the Stipulation of Facts outlined above and adopts an Order of Public Reprimand for Dale Alfred Bachman for failure to report sexual abuse and sexual harassment of students by subordinates and this Order shall serve as the reprimand.

Dated this 19th day of May, 1998.

TEACHER STANDARDS AND PRACTICES COMMISSION

By: David V. Myton  
David V. Myton, Executive Director

Approved as to Form:

Gary R. Ackley  
Gary R. Ackley, Attorney  
For Dale Alfred Bachman

4/29/98  
Date

\_\_\_\_\_  
Joe McKeever, Assistant Attorney General Date

CERTIFICATE OF MAILING

I hereby certify that I served the foregoing order by mailing a true copy thereof certified by me as such by U.S. Certified Mail with Return Receipt Requested to attorney for Dale Alfred Bachman:

GARY R. ACKLEY  
ATTORNEY AT LAW  
30 NORTH FIFTH STREET  
COTTAGE GROVE OR 97424

Dated this 19th day of May, 1998.

By: Charlene A. Smith  
Charlene A. Smith  
Executive Assistant to the Commission