

1 3. On or about April 11, 2002, Mr. Titchenal was observed by students on the baseball
2 team urinating in a garbage barrel located behind the backstop in the field behind French Prairie
3 Middle School.

4 4. While serving as a licensed educator and baseball coach Mr. Titchenal had a practice
5 of mooning both players and his physical education students. He has also engaged in pantsing
6 them (pulling down their shorts) during the course of practice or class.

7 5. On or about February 25, 1991, Mr. Titchenal was convicted of Assault IV and
8 Disorderly Conduct in Jackson County District Court, Medford, Oregon.


9 6. Mr. Titchenal accepts responsibility for his actions and acknowledges his behavior
10 was inappropriate.

11 This stipulation is contingent upon approval and adoption of the Order by the
12 Commission. If the Commission does not adopt this Order, neither Mr. Titchenal nor the
13 Commission are bound by these Stipulations and Mr. Titchenal retains all rights to a hearing on
14 the allegations.

15 IT IS SO STIPULATED: -

16 
17 David Charles Titchenal

8/26/02
Date

18 
19 Victoria Chamberlain, Executive Director
20 Teacher Standards and Practices Commission

8-12-02
Date

21 **CONCLUSIONS OF LAW**

22 David Charles Titchenal's behavior as described in Stipulations 3 and 4 above violate
23 OAR 584-020-0040(4)(f) by creating an intimidating, hostile and offensive educational
24 environment for students. This conduct also demonstrated failure to use professional judgment
25 in violation of OAR 584-020-0010(5). This misconduct constitutes Gross Neglect of Duty.

26 Mr. Titchenal's criminal convictions for Assault IV and Harassment are violation of OAR
27 584-020-0040(5)(c). This misconduct constitutes Gross Unfitness. The Commission's authority
28 to impose discipline in this matter is based upon ORS 342.175.

1
2 **ORDER**

3 The Commission suspends the Oregon Basic Teaching License of David Charles
4 Titchenal effective October 11, 2002, for a period of six (6) months. At the end of this
5 suspension period, Mr. Titchenal's teaching license shall be reinstated providing he meets the
6 following conditions:

7 1. Submit complete application with required supporting documentation and fees;
8 2. Submit documentation that he has completed (at his own expense), an intensive
9 education program regarding appropriate boundaries with students, including sexual
10 harassment education conducted by a qualified trainer approved in advance by the
11 Commission. This intensive training shall consist of, at least, five (5) one and one-half (1 ½)
12 hour sessions. Mr. Titchenal shall provide the trainer with a copy of this Stipulation of Facts and
13 Order of Suspension. The program trainer shall provide the Commission with a report of
14 successful program completion; and

15 3. Submit documentation that he has undergone an evaluation by a psychotherapist or
16 medical professional acceptable to the Commission. The evaluator shall provide a written
17 report to the Commission, the report shall contain the following:

- 18 a. A list of the processes and techniques used in the evaluation, e.g. testing, interviews,
19 etc., and a list of the materials used and reviewed in the evaluation.
20 b. A statement of the evaluator's findings and an explanation for the basis of these
21 findings.
22 c. A statement that, in the professional opinion of the evaluator, Mr. Tichenal is fit to
23 work with students, and that there is a high probability he will not engage in similar
24 inappropriate behavior in the future. Any costs associated with the assessment or
25 treatment will be the responsibility of Mr. Titchenal.

26 4. At the outset of the evaluation, Mr. Titchenal shall provide a copy of this order and a
copy of the Woodburn School District's report to the Commission dated May 13, 2002, to the

1 evaluator. Mr. Titchenal shall cooperate in the evaluation which may include testing, interviews
2 and any other activities the evaluator may consider necessary to complete the evaluation.

3 5. The Commission will consider the evaluator's report to be a medical record containing
4 personal information the disclosure of which would constitute an unreasonable invasion of
5 privacy. The Commission agrees not to disclose the report to third parties unless ordered to do
6 so under Oregon law.

7 6. Upon reinstatement of his teaching license, Mr. Titchenal shall be placed on probation
8 for a period of four (4) years, subject to the following conditions:

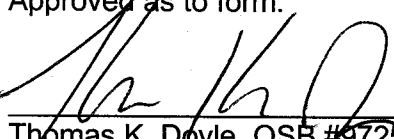
- 9 a. That he comply with all Standards for Competent and Ethical Performance under
10 Chapter OAR 584, Division 020.
- 11 b. Mr. Titchenal shall participate in continuing therapy, counseling or treatment as
12 recommended by the evaluator in paragraph 3 above.
- 13 c. Mr. Titchenal shall provide consent for his treatment provider to contact the
14 Commission or to respond to the Commission's inquiries in order to verify Mr.
15 Titchenal's participation and cooperation in any treatment recommended to the
16 evaluator.

17 Violation of the terms of this probation may constitute an independent basis for the
18 Commission to impose discipline, up to and including revocation of Mr. Titchenal's teaching
19 license subject to Mr. Titchenal's right to a hearing on the issue of whether he violated
20 probation.

21 IT IS SO ORDERED this 11 day of October 2002

22 TEACHER STANDARDS AND PRACTICES COMMISSION

23
24 By: 
25 Victoria Chamberlain, Executive Director

26 Approved as to form:
27 
28
29 Thomas K. Doyle, OSB #97251
30 Attorney for David Charles Titchenal

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