1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON				
5 6 7 8	Ed	the Matter of the ucator License of SEPH THEISSEN))	DEFAULT ORDER OF REVOCATION OF LICENSURE	
9		On September 28, 2018, the	Teacher Sta	andards and Practices Commission	
10	(C	ommission) issued a Notice of Op	pportunity f	for Hearing to Joseph Theissen	
11	(T	heissen) in which the Commissio	n charged l	nim with Gross Neglect of Duty and /or	
12	Gross Unfitness. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail				
13	Re	ceipt 7018 0680 0000 1028 288	3 to the add	lress on file with the Commission. The	
14	No	tice designated the Commission	file as the r	ecord for purposes of proving a prima	
15	fac	eie case. The Certified Mail was re	eturned to t	he Commission "Unclaimed" on	
16	No	ovember 2, 2018. The regular firs	t class mail	was not returned to the Commission, and	
17	ass	sumed delivered. The Notice of O	pportunity	of Hearing, dated September 28, 2018,	
18	an	d signed by Anthony Rosilez, Exe	ecutive Dire	ector, stated:	
19 20 21 22 23 24 25 26		PERIOD, YOUR RIGHT TO UNLESS YOUR FAILURE TO REASONABLE CONTROL. YOU FAIL TO APPEAR AT A	A HEARIN O REQUES IF YOU DO A HEARING CH MAY IN	T RECEIVED WITHIN THIS 21-DAY G SHALL BE CONSIDERED WAIVED T A HEARING WAS BEYOND YOUR NOT REQUEST A HEARING OR IF G, THE COMMISSION WILL ADOPT AN ICLUDE THE REVOCATION OR OTHER DISCIPLINE."	
27	Theissen did not request a hearing. The Commission, therefore, finds Theissen to be in				
28	default and enters the following findings of fact, conclusions of law, and final order,				
29	ba	sed on the files and records of the	e Commissi	on concerning this matter.	
30					
31		FI	NDINGS (OF FACT	
32	1.	Robert Theissen has been licens	sed by the C	commission since August 19, 2003.	
33		Theissen's Professional Teachin	g License, v	with endorsements in Drama (PK-12);	
34		English Language Arts (PK-12);	and Legacy	Middle Level (PK-12), was valid from	
35		May 31, 2017, through June 12,	2022. Duri	ng all relevant times, Theissen was	
36		employed by the Lake Oswego S	chool Distr	rict (LOSD).	

1	2.	On January 9, 2018, the Commission received a report from the LOSD indicating		
2		that Theissen had engaged in conduct that may be considered gross neglect of duty		
3		and/or gross unfitness. The reports alleges that Theissen, in violation of district		
4		policies, engaged in an inappropriate relationship with a student, crossing student /		
5		teacher boundaries.		
6				
7	3.	· · · · · · · · · · · · · · · · · · ·		
8		graduated in 2010. KH reported that between 2004 and 2006, while she was a junior		
9		high student, she formed a close relationship with Theissen. Theissen was a trusted		
10		teacher and a family friend. Theissen began communicating, outside of school with		
11		KH, via text messages when she was 15 years old, approximately November 2007.		
12		Beginning in February 2010, on the eve of KH's 18^{th} birthday and while still a		
13		student, Theissen began texting KH in a more personal way. When KH's mother		
14		discovered these text messages, she requested that Theissen cease such		
15		communications. Theissen stopped texting KH and began to message her directly via		
16		the Facebook messenger system.		
17				
18		Theissen's continued communications with KH became covert and secretive and		
19		Theissen would continually request that KH delete their conversations to avoid		
20		getting caught. Theissen's messages continued to become more personal, suggestive		
21		and sexual. For example while KH was still a student Theissen wrote:		
22		 "Now we're real grown up Facebook friends! Haha." 		
23		• "I'm very thrilled to dis cover (sic) and found our mutual admiration society.		
24		I wasn't sure you'd want to be a member. ;)"		
25		 "Haha we are quite the cryptic communicators now, aren't we? Ha;)" 		
26		• "The timing of my being less crypticWell let's just say the timing would be		
27		better in, say, a couple of months. \square "(Referring to KH's graduation date)		
28		 "I'm less worried about you at this point than anyone else who might 		
29		potentially see this threadStill you will delete this thread, won't you? For		
30		my peace of mind?"		

 $\bullet \quad \hbox{``Let's just say that at some point I turned around and you were......all}$

grown up. And lovely."

31

- "Well. When we had coffee.....As much as I tried to ignore the fact, there were several moments where looking at you made me want to lean over and kiss you." "Keep your inbox tidy."
- "You're a person I've always wanted to know more than I do. I mean, let's be honest at some point, I became attracted to you as a woman...You're smart, kind, humble, fearless, gorgeous, and talented!"

After KH graduated, Theissen's messages to KH became increasingly sexual. For example in October of 2010, Theissen wrote; "I'm still a little nervous about our interactions staying between us. I don't know if you're a sexual person at all, or if talking about those things is enjoyable for you or the opposite." "When we had coffee that time, you left QUITE an impression. I imagined that everyone left the store, locked up, and turned the lights off on us. Let's just say those armless comfy chairs at Starbucks are very conductive to......Well, I sat back, and you sat on my lap facing me – straddling me, that is......; "Are you shaved, trimmed, landing strip....?"

KH attempted to re-draw her boundaries with Theissen when she replied, "I'm pretty sure this isn't along the lines you were thinking, but you are one of the people I respect most, and I'm afraid that if this ever went any further than talking I would lose that respect for you....Sorry to be a downer \mathfrak{S} " To which Theissen replied in part "I think you are extremely sexy."

In March of 2011, KH returned home for spring break from college. Theissen met her at a Starbucks and took her back to his apartment and engaged in sexual conduct, including oral sex with KH. Afterwards, KH was upset and called a friend and told her about the encounter and how it affected her. KH informed investigators that Theissen's grooming of her while she was a student, and Theissen's continued pursuit and sexual encounter after graduation have had, and continue to have, negative effects on her mental health and well-being.

1	LOSD determined Theissen was in violation of district policies but Theissen resigned
2	his employment before LOSD could take disciplinary action.
3	
4	CONCLUSIONS OF LAW
5	Joseph Theissen's conduct described in each of the sections of paragraph three
6	(3) above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-
7	020-0010(5) (Use professional judgment), OAR 584-020-0025(2)(e) (Using district
8	lawful and reasonable rules and regulations), OAR $584-020-0030(2)(b)$ (Skill in
9	communicating with administrators, students, staff, parents, and other patrons); OAR
10	584-020-0040(4)(f) (Sexual conduct with a student, as defined in OAR 584-020-
11	0005(5)(d) Verbal or physical conduct of a sexual nature when directed toward a
12	student or when such conduct has the effect of unreasonably interfering with a
13	student's educational performance or creates an intimidating, hostile or offensive
14	$educational\ environment;\ and\ /or\ (e)\ Verbal\ or\ physical\ conduct\ which\ has\ the\ effect$
15	of unreasonably interfering with a student's educational performance or creates an
16	intimidating, hostile or offensive educational environment); and OAR 584-020-
17	0040(4)(0) as it incorporates, OAR 584-020-0035(1)(c)(D) (Honoring appropriate
18	adult boundaries with students in conduct and conversations at all times).
19	The Commission's authority to impose discipline in this matter is based
20	upon ORS 342.175.
21	FINAL ORDER
22	The Commission hereby revokes Joseph Theissen's Educator license.
23	IT IS SO ORDERED THIS 23rd day of January, 2019.
24	TEACHER STANDARDS AND PRACTICES COMMISSION