

FINDING OF FACT

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3 1. The Commission has licensed James since November 1, 1984. James currently holds
4 a Professional Administrator License, with an endorsement in Administrator (PK-
5 12), valid from January 16, 2018, through August 30, 2023. During all relevant
6 times, James was employed by the Woodburn School District (WSD).
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- 8 2. On February 6, 2018, TSPC received a Department of Human Services – Child
9 Welfare (DHS) cross-report alleging misconduct by James, the acting Principal of
10 the Alternative “Success” High School at the time of the report. The report alleged
11 that James photographed a male student in his underwear, and sexually assaulted or
12 subjected at least one other male student to taking similar inappropriate photos in
13 approximately 2001.
14
- 15 3. Law enforcement was notified of the allegations, and the Woodburn Police
16 Department (WPD) conducted an investigation but was not able to pursue criminal
17 charges due to the statute of limitations having lapsed. WPD’s investigation
18 documented that James was interviewed by WPD, and had been previously
19 interviewed by WPD in 2013 for similar allegations against him. During James’
20 interview with WPD Officer DeVoe, he admitted to taking sexually suggestive and
21 inappropriate photos of a former male student, JM, in his underwear in 2000-2001.
22 James confirmed that JM was a former student of his, was 18 years of age, and had
23 graduated when the photos were taken at his residence. James additionally admitted
24 to talking to another male student, CM, about taking photos, and discussed in detail
25 the photos he had taken of JM. James reportedly told CM “you should try it.”
26
- 27 4. The WSD had reportedly been made aware of the allegations against James in 2013,
28 and Superintendent Ransom asked him if there was any validity to the complaints.
29 James denied the allegations, and no additional follow up was done by the district in
30 2013. WSD revisited this complaint in 2018, when the DHS complaint was filed. It
31 was discovered that James “willingly and knowingly lied to his direct supervisor
32 (Superintendent Ransom)” about the incident in 2013. WSD notified James of their

1 intentions to dismiss him from employment with the district on February 27, 2018.
2 James entered into a Resignation Agreement with the WSD on March 27, 2018.

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4 5. TSPC attempted to contact James to arrange for an interview regarding this incident,
5 multiple times. Below are the listed contacts and attempted contacts by TSPC staff:

- 6
7 • On February 27, 2018, TSPC provided James with an official Notice of
8 Investigation document via mail, and James provided confirmation of
9 receiving such document.
10
11 • On July 17, 2018, TSPC investigative staff contacted James via telephone.
12 James confirmed that he knew he was under investigation by TSPC and
13 would have to disclose that he was currently under investigation on future
14 employment applications. James advised TSPC staff at this time that he
15 had also retained an attorney for this matter and TSPC would need to
16 direct all future correspondence to his attorney.
17
18 • On March 30, 2020, TSPC attempted to contact James via telephone to
19 request to interview you regarding this matter. James did not respond to
20 this request and TSPC staff was unable to leave a voicemail.
21
22 • On May 11, 2020, TSPC contacted current Woodburn School District
23 Human Resources Director, Betty Wall, and asked her to provide TSPC
24 with up-to-date contact information for James.
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26 • On May 14, 2020, TSPC received the same contact information for James
27 TSPC had already possessed.
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29 • On June 5, 2020, TSPC provided James with approximately three copies
30 of an official Request to Interview document via mail sent to two separate

1 addresses including a P.O. Box and mailing address for James located in
2 Mount Angel, Oregon.

- 3
- 4 • On June 17, 2020, TSPC received a certified tracking receipt via mail
5 confirming that James had received at least one of the three documents
6 and had provided his signature to sign for the document. Included within
7 the document was a request by TSPC for James to contact staff within
8 fourteen days to schedule an interview. To date, TSPC has received no
9 response from James.
 - 10
 - 11 • On July 27, 2020, TSPC determined James' attorney to be Nathan
12 Reitmann, part of Rietmann Law P.C. located in Salem, Oregon. TSPC
13 contacted Rietmann via email on July 27, 2020, and asked him if he was
14 representing James and if he could notify James that TSPC was requesting
15 an immediate response to conduct an interview.
 - 16
 - 17 • On July 30, 2020, TSPC received a response email from Reitmann
18 advising TSPC that he was in fact still representing James but said he had
19 not been able to contact James after attempting to call and email him
20 several times between July 27, 2020, and July 30, 2020.
 - 21
 - 22 • On August 3, 2020, TSPC staff conducted an Accurint records search for
23 updated contact information for James but determined that all active
24 mailing addresses, emails, and telephone numbers listed as current for
25 James via Accurint had already been provided to TSPC and were on file
26 within all databases.

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28 As of the writing of this Default Order, TSPC staff has yet to receive a response from
29 James or his attorneys.

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1 **CONCLUSIONS OF LAW**

2 The conduct described above constitutes gross neglect of duty in violation of ORS
3 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(1)
4 (*Recognize the worth and dignity of all persons and respect for each individual*), OAR
5 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0025(2)(e) (*Using*
6 *district lawful and reasonable rules and regulations*); OAR 584-020-0040(4)(o) as it
7 incorporates OAR 584-020-0035(1)(b) (*Refrain from exploiting professional*
8 *relationships with any student for personal gain, or in support of persons or issues*),
9 OAR 584-020-0035(1)(c)(A) (*Not demonstrating or expressing professionally*
10 *inappropriate interest in a student's personal life*), and OAR 584-020-0035(1)(c)(D)
11 (*Honoring appropriate adult boundaries with students in conduct and conversations*
12 *at all times*); and OAR 584-020-0040(4)(p) (*Subject to the exercise of any legal right*
13 *or privilege, failure or refusal by an educator under investigation to respond to*
14 *requests for information, to furnish documents or to participate in interviews with a*
15 *Commission representative relating to a Commission investigation*)
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17

18 The Commission's authority to impose discipline in this matter is based
19 upon ORS 342.175.

20 **FINAL ORDER**

21 The Commission will proceed with a Default Order and hereby revokes James'
22 teaching licensure for one (1) year.
23

24 IT IS SO ORDERED THIS 16th day of June, 2022.
25

26 **TEACHER STANDARDS AND PRACTICES COMMISSION**

27 By: Anthony J. Rosilez
28 Dr. Anthony Rosilez, Executive Director
29

30 **NOTICE OF APPEAL OR RIGHTS**

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