

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

In the Matter of the Educator License of )        DEFAULT ORDER OF  
LARRY T. RUSSELL                                    )        SUSPENSION OF EDUCATOR LICENSE

On August 30, 2019, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Larry Russell (Russell) in which the Commission charged him with Gross Neglect of Duty and Gross Unfitness. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7018 1830 0001 6178 6360 to the address on file with the Commission. The Notice designated the Commission file as the record for purposes of proving a prima facie case. The Certified Mail was returned to the Commission as “Unclaimed”. The regular, first class mail was not returned to the Commission, and assumed to have been delivered. The Notice of Opportunity of Hearing, dated August 30, 2019, and signed by Anthony Rosilez, Executive Director, stated:

“IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING, WITHDRAW YOUR REQUEST FOR A HEARING, FAIL TO APPEAR AT A HEARING, OR NOTIFY THE COMMISSION THAT YOU WILL NOT APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE.”

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

**FINDINGS OF FACT**

1. Larry Russell has been licensed by the Commission since August 21, 2003. Russell holds a Substitute Teaching License, with an endorsement in Substitute Any Specialty (PK-12), valid from October 27, 2017 through April 18, 2021. Russell previously held other teaching licenses with the Commission that have expired. During all relevant times, Russell was employed by a variety of employers in the State of Washington and Oregon.
2. On December 5, 2018, the Commission received information from the National Association of State Directors of Teacher Education and Certification (NASDTEC) clearinghouse indicating Russell may have committed acts which constitute gross neglect of duty. NASDTEC records indicated that on or about October 31, 2017, Russell had his Washington Teaching credential(s) suspended for 30 days related to conduct describes as “any manner of

1 test or document fraud reported”. A review of Russell’s Commission records indicated  
2 possible fraudulent answers made on Russell’s licensure applications in Oregon.

3  
4 3. Investigation determined the following timeline of events relevant to the Commission’s  
5 investigation:

- 6 • On May 17, 1994, Russell was certified to teach in Washington.
- 7 • On August 21, 2003, Russell received an Expedited Service License by TSPC with an  
8 expiration date of December 21, 2004.
- 9 • On August 21, 2003, Russell received a Transitional Teaching License by TSPC with  
10 an expiration of August 21, 2006.
- 11 • On August 22, 2006, Russell received an Initial I Teaching License with an expiration  
12 of April 18, 2010.
- 13 • On September 10, 2010, Russell received a written reprimand from Columbia Basin  
14 College (CBC) for making an offensive comment in an email to a CBC student.
- 15 • On September 29, 2011, CBC placed Russell on administrative leave for possible  
16 violations of the college’s sexual harassment policy.
- 17 • On October 19, 2011, a report found Russell had violated college policies in his  
18 interactions with three employees and violated the sexual harassment policy with one  
19 employee.
- 20 • On October 21, 2011, Russell was told CBC was seeking to terminate his employment  
21 and Russell resigned.
- 22 • On August 12, 2012, when applying for a teaching position with the Mabton School  
23 District (SD), Washington, Russell failed to disclose past discipline on his application.
- 24 • On February 4, 2015, Russell, while working as a teacher at Mabton SD, was given a  
25 letter of reprimand for making inappropriate comments to a student.
- 26 • In April 2017, when applying for a teaching position with the Prosser SD,  
27 Washington, Russell failed to disclose past discipline and misrepresented his reason  
28 for leaving CBC.
- 29 • On April 24, 2017, Russell submitted his resignation with the Mabton SD.
- 30 • On April 27, 2017, Russell was offered a position with the Prosser SD.
- 31 • On June 21, 2017, Russell met with the superintendent of the Prosser SD to discuss  
32 his answers on the employment application.
- 33 • On June 28, 2017, Prosser SD rescinded Russell’s employment offer.
- 34 • On July 18, 2017, the Office of Professional Practices (OPP), OSPI, received a

1 complaint from the Prosser SD superintendent regarding Russell failing to disclose  
2 past discipline on an employment application.

- 3 • On July 25, 2017, Russell was provided a notice of the complaint.
- 4 • In August 2017, when applying for a teaching position with the Grandview SD,  
5 Russell misrepresented his past discipline.
- 6 • On October 23, 2017, Russell completed TSPC's eLicensing application for a  
7 Substitute Teaching License and answered "No" to all character questions.
- 8 • On October 27, 2017, TSPC issued Russell a Substitute Teaching License.
- 9 • On October 31, 2017, OPP, OSPI, issued an order of suspension for thirty days against  
10 Russell's Washington teaching certificate for failing to disclose and misrepresenting  
11 past discipline on employment applications for teaching positions in Washington.
- 12 • On November 1, 2018, Washington entered Russell's derogatory information into the  
13 NASDTEC clearinghouse system.
- 14 • On December 5, 2018, TSPC discovered Russell's Washington sanction on NASDTEC.  
15 There was an internal referral completed recommending that an Oregon investigation  
16 be opened.

17 4. On October 23, 2019, Russell completed a TSPC eLicensing application for a Substitute  
18 Teaching License. When Russell completed the character questions on the application, he  
19 answered "no" to the character question 1:

- 20 • "Have you ever left any educational or school-related employment, voluntarily  
21 or involuntarily, while the subject of or within the six months following  
22 an inquiry, review or investigation of alleged misconduct? Have you  
23 ever left educational or school-related employment when you had reason to  
24 believe an investigation for misconduct was underway or imminent?"

25 Russell should have answered yes to this question and provided the details of his resignation  
26 from CBC.

27  
28 Russell answered no to the character question 2:

- 29  
30 • "Are you currently the subject of an inquiry, review or investigation for alleged  
31 misconduct or alleged violation of professional standards of conduct by either  
32 an employer or a licensure agency?"

33 Russell should have answered yes to this question and provided details of the ongoing OPP  
34 investigation.

1 5. On February 18, 2019, Russell completed a TSPC eLicensing application for a Professional  
2 Teaching License. When Russell completed the character questions on the application,  
3 Russell answered “yes” to the character question 1:

- 4 • “Have you ever left any educational or school-related employment, voluntarily or  
5 involuntarily, while the subject of or within the six months following an inquiry,  
6 review or investigation of alleged misconduct? Have you ever left educational or  
7 school-related employment when you had reason to believe an investigation for  
8 misconduct was underway or imminent?”

9  
10 Russell’s explanation was, “When I was teaching at Columbia Basin College I resigned  
11 because of a sexual harassment case”

12  
13 Russell answered “yes” to the character question 4:

- 14 • “Have you ever had any adverse action taken on a professional certificate, license or  
15 charter school registration? Have you ever been placed on probationary status for  
16 alleged misconduct while holding a professional license, certificate, registration, or  
17 credential?”

18 Russell’s explanation was, “In 2017, I applied for a mathematics position at Prosser High  
19 School. At the time that I filled out my application, it had been about 6 years since my sexual  
20 misconduct at Columbia Basin College and I thought I did not have to disclose that  
21 information because I thought the misconduct would only remain in my file for 4 years. It  
22 was my understanding that after 4 years matters of discipline were deleted from personnel  
23 files. This was incorrect as I found out later. The superintendent was upset at this lack of  
24 disclosure so he sent the information to OSPI to initiate an investigation, which resulted in  
25 me having my license revoked for 1 month.”

26  
27 Russell answered “no” to the character question 7:

- 28 • “Have you ever been disciplined by any public agency responsible for licensure of any  
29 kind, including but not limited to educational licensure?”

30  
31 Russell should have answered “yes” to this question and referred to his answer in question  
32 four.

1 **CONCLUSIONS OF LAW**

2 Russell’s conduct described in sections two (2), (3), (4), and (5) above constitutes gross  
3 neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR  
4 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0040(4)(c) (*Falsification of any*  
5 *document or knowing misrepresentation directly related to licensure, employment, or professional*  
6 *duties*), and OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(3)(a) (*Maintain the*  
7 *dignity of the profession by respecting and obeying the law, exemplifying personal integrity and*  
8 *honesty*).

9 Additionally, Russell’s conduct described in section (3) above (Washington License  
10 Suspension) constitutes “gross unfitness” in violation of ORS 342.175(1)(c); OAR 584-020-  
11 0040(3)(c) and (d) as defined by OAR 584-020-0040 (5)(a) (*Revocation, suspension or denial of a*  
12 *license by another state for reasons and through procedures that are the same as, or substantially*  
13 *equivalent to, those permitting similar action in Oregon*), and OAR 584-020-0040 (5)(b) (*Fraud or*  
14 *misrepresentation*).

15  
16 The Commission’s authority to impose discipline in this matter is based upon ORS 342.175.

17  
18 **FINAL ORDER**

19  
20 The Commission hereby suspends Larry T. Russell’s licensure for a period of sixty (60) days,  
21 to begin upon the date this order is signed and in effect.

22  
23  
24 IT IS SO ORDERED THIS 7<sup>th</sup> day of October, 2019.

25 TEACHER STANDARDS AND PRACTICES COMMISSION

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

30 **NOTICE OF APPEAL OR RIGHTS**

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