

1 **FINDING OF FACT**

2 On November 6, 2020 the Commission considered an investigative report
3 following a complaint that alleged Wierth had been involved in romantic and sexual
4 relationship with a minor female, (age 17 1/2 at the time), at some point between late
5 2002 and June 2003, while Wierth was employed as a teacher by the Portland Public
6 School District (PPSD). The minor aged female was a student in the PPSD and was a
7 volunteer in Wierth's classroom, but was not an enrolled student of Wierth's, nor was
8 she an enrolled student at his school at any point during his time as a teacher. The
9 Commission charged Wierth with misconduct and moved to revoke his teaching license
10 based on the investigative report, witness testimony, and written evidence. During the
11 course of the TSPC investigation, Wierth was asked to interview with TSPC investigative
12 staff. Wierth declined to be interviewed based upon the advice of his attorney and
13 advised TSPC that he was prepared to surrender his teaching license.

14 **CONCLUSIONS OF LAW**

15 The conduct described above constitutes gross neglect of duty in violation of ORS
16 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(1)
17 (*Recognize the worth and dignity of all persons and respect for each individual*),
18 OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0025(2)(e)
19 (*Using district lawful and reasonable rules and regulations*); OAR 584-020-
20 0040(4)(o) as it incorporates OAR 584-020-0035(1)(b) (*Refrain from exploiting*
21 *professional relationships with any student for personal gain, or in support of*
22 *persons or issues*), OAR 584-020-0035(1)(c)(A) (*Not demonstrating or expressing*
23 *professionally inappropriate interest in a student's personal life*), and OAR 584-
24 020-0035(1)(c)(D) (*Honoring appropriate adult boundaries with students in*
25 *conduct and conversations at all times*).

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