

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
2 OF THE STATE OF OREGON
3

4 In the Matter of the Educator) DEFAULT ORDER OF
5 License of) SUSPENSION AND PROBATION
6 RICHARD A. COHEN)
7
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9 On May 25, 2022, the Teacher Standards and Practices Commission (Commission)
10 issued a Notice of Opportunity for Hearing to Richard A. Cohen (Cohen) in which the
11 Commission charged him with Gross Neglect of Duty. The Notice was sent via U.S. First
12 Class and U.S. Certified Mail, USPS Tracking Number 7021 0350 0000 8184 3279, to the
13 address on file with the Commission. The Notice designated the Commission file as the
14 record for purposes of proving a prima facie case. Neither the Certified Mail nor the First-
15 Class mail was returned to the Commission, and both were assumed delivered. The Notice
16 of Opportunity of Hearing, dated May 25, 2022 and signed by Anthony Rosilez, Executive
17 Director, stated:

18 “IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY
19 PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED
20 UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR
21 REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING, WITHDRAW
22 YOUR REQUEST FOR HEARING, IF YOU FAIL TO APPEAR AT A HEARING, OR
23 NOTIFY THE COMMISSION THAT YOU WILL NOT APPEAR AT HEARING, THE
24 COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE
25 THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER
26 DISCIPLINE.”
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28 As of July 17, 2023, the Commission has not heard from Cohen. The Commission, therefore,
29 finds Cohen to be in default and enters the following findings of fact, conclusions of law, and
30 final order, based on the files and records of the Commission concerning this matter.
31

32 **FINDINGS OF FACT**

- 33 1. The Commission has licensed Cohen since January 25, 2021. Cohen currently
34 holds a Reciprocal Teaching License, with an endorsement in Special Education –
35 Generalist (PK-12), valid from January 25, 2021, through January 25, 2022.
36 During all relevant times, Cohen was employed by the Tigard-Tualatin School
37 District. (TTSD).
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2. On September 29, 2019, the Commission received a School District Misconduct Report from the TTSD. The report alleges that Cohen exhibited concerning behaviors to include talking over people, interrupting, being unorganized, not responding to emails, and generally erratic behavior. The report also mentioned that Cohen failed to follow the Oregon Governor’s COVID safety protocols/mask mandate and sent a threatening message to an Instructional Assistant (IA) via text message.

3. An investigation conducted by TTSD substantiated the allegations, and determined the following facts:

- On Friday, September 24, 2021, Cohen was called to the office by the Director of Student Services to discuss why he was not adhering to COVID protocols and the Governor’s mask mandate. Cohen refused to attend the meeting as directed and left the building without telling anyone where he was going. TTSD determined that Cohen was insubordinate in his actions.

- On Friday, September 24, 2021, Cohen sent a threatening text message to his IA, because he believed she had turned him in to school administration for failing to adhere to COVID protocols. The text message Cohen wrote reads as follows:

“You are a two- faced lying bitch. You are not a good Christian woman you are the devil’s helper. I trusted you and you ruined me and you hurt the kids in the process. You just want to be the center of attention. A child who is a defensive little hurt girl. I worked my ass off to make that classroom what it is today. You called parents and turned them on me and you think you are the greatest thing in the world but you are an evil spirited, selfish child. You wait till the parents start complaining that I’ve been used and manipulated by you and the student services team of

1 *Satan loving assholes. I hope you suffer and wallow in your shit, the*
2 *pathetic lies and fake smiles you wear. I hope you burn in hell.”*
3

4 For this action, the school determined that Cohen was a risk to school safety and
5 trespassed him from all TTSD facilities.
6

- 7 • On September 17, 2021, despite several warnings by TTSD administration, Cohen
8 failed to properly wear his required KN95 mask per COVID protocols, and the
9 Governor’s mask mandate order.

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11 For the incidents listed above, the TTSD trespassed Cohen from TTSD grounds, and
12 began the employee termination process. Cohen resigned his position with TTSD on
13 September 25, 2021.
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- 15 4. On February 22, 2022, TSPC investigative staff conducted a telephone interview
16 with Cohen. During the interview, Cohen reported that he was the only one
17 required to wear a KN95 mask at the TTSD due to his unvaccinated status. Cohen
18 reported that he felt like he “honored” the COVID and masking protocols and
19 reported that no one at the school had ever approached him and complained
20 about him not wearing a mask or wearing a mask inappropriately. During the
21 interview, Cohen admitted to sending the threatening text message to his IA but
22 reported that what he had done was unprofessional and was done in anger.
23 Cohen reported that he doesn’t feel like his actions were harmful enough to
24 justify taking away his teaching license. Cohen reported that he should have
25 taken a moment to calm down and stated that he had never been through
26 anything like this before and stated that he believed the IA’s actions of reporting
27 her concerns about him was “affecting kids negatively.” Cohen also reported that
28 on September 24, 2021, he had intentionally ignored the directive to come to the
29 office of the Director of Student Services for a meeting because he believed that
30 the Director was “out to get him” and “didn’t like him.” Cohen admitted that after
31 receiving the directive, he used the bathroom, and then left the building. Cohen

1 stated that he left a note in his classroom indicating his intentions to resign.
2 Cohen reported that he had done this because he wanted to “protect” himself and
3 his pride.

4 **CONCLUSIONS OF LAW**

5 The conduct described above constitutes gross neglect of duty in violation of ORS
6 342.175(1)(b); OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-
7 0025(2)(e) (*Using district lawful and reasonable rules and regulations*).

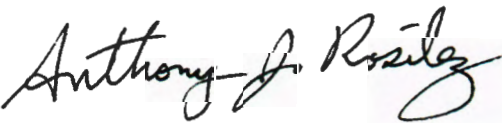
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9 The Commission’s authority to impose discipline in this matter is based upon ORS
10 342.175.

11 **FINAL ORDER**

12 The Commission hereby issues a ninety (90) day suspension and one year (1)
13 probation upon Cohen’s Oregon educator license. Furthermore, Cohen will be required to
14 complete an approved Anger Management program prior to reinstatement.

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16 IT IS SO ORDERED THIS 18 day of July, 2023.

17 **TEACHER STANDARDS AND PRACTICES COMMISSION**

18 By: 
19 _____
20 Dr. Anthony Rosilez, Executive Director

21 **NOTICE OF APPEAL OR RIGHTS**

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23
24 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW
25 MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM
26 THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE
27 PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.