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- 2. On October 13, 2021, the Commission received a School District Misconduct form alleging misconduct by VanDermark, an educator in the WDSB. The report alleged that VanDermark inappropriately touched a student’s leg at an event outside of school.

- 3. The WDSB conducted an investigation into this matter. According to WDSB and Winston Police Department (WPD) records, on September 8, 2021, School Resource Officer Van Atta responded to Douglas High School (DHS) to investigate a report of sexual abuse of a student. It was reported that the abuse occurred in January of 2021 and was reported by the mother of the victim to WDSB staff. The victim was a minor-aged female, KC, who was 16 years old at the time of the incident. Per the WPD report, in January of 2021, KC and her older brother and were hanging out at VanDermark’s home watching an MMA fight. VanDermark provided KC and her brother alcoholic White Claw Hard Seltzers to drink while they were at his home. KC’s brother called his girlfriend to come get the group of you to go get food. While going to get food, VanDermark was seated in the rear of the car with KC. On the drive, VanDermark reached over with his right hand and rubbed KC’s left inner thigh. KC moved away from VanDermark and stared out the window. KC, her brother, and his girlfriend proceeded to KC’s home, where she immediately went to bed. VanDermark also stayed at the residence, and at some point during the night, while KC was asleep, VanDermark crawled into bed and rubbed his hand on her inner right thigh. KC reported that she quickly got up and exited the bedroom as quickly as she could. In the morning it was reported that VanDermark apologized to KC, KC’s brother, and her mother, acknowledging what he had done and blaming his actions on being drunk. KC’s mother reported the matter in September of 2021 when she was asked by district staff why KC wanted to transfer out of VanDermark’s class. When she recounted the incident to school officials, police were contacted, and an investigation was initiated. VanDermark resigned his position with the WDSB upon reviewing the WDSB investigative summary report. No criminal charges were pursued due to KC and her family requesting no prosecution.

1 4. On January 11, 2022, Commission investigative staff spoke with VanDermark via
2 telephone. During that call VanDermark reported that he had made a career
3 change and had no intention of interviewing with the Commission or
4 participating in a Commission investigation.
5

6 **CONCLUSIONS OF LAW**

7 The conduct described above constitutes gross neglect of duty in violation of ORS
8 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(1)
9 (*Recognize the worth and dignity of all persons and respect for each individual*), OAR
10 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0025(2)(e) (*Using*
11 *district lawful and reasonable rules and regulations*); OAR 584-020-0040(4)(o) as it
12 incorporates OAR 584-020-0035(1)(b) (*Refrain from exploiting professional*
13 *relationships with any student for personal gain, or in support of persons or issues*),
14 OAR 584-020-0035(1)(c)(A) (*Not demonstrating or expressing professionally*
15 *inappropriate interest in a student's personal life*), and OAR 584-020-0035(1)(c)(D)
16 (*Honoring appropriate adult boundaries with students in conduct and conversations*
17 *at all times*).
18

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 VanDermark's teaching license for a period of
23 one (1) year.

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

25 **TEACHER STANDARDS AND PRACTICES COMMISSION**

26 By: Anthony J. Rosilez
27 Dr. Anthony Rosilez, Executive Director
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29
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NOTICE OF APPEAL OR RIGHTS

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