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3 **FINDING OF FACT**

- 4 1. The Commission has licensed Rothwell since November 2022. Rothwell holds a  
5 Preliminary Teaching License, with an endorsement in Social Studies (PreK-12),  
6 valid from November 30, 2022, through May 11, 2026. During all relevant times,  
7 Rothwell was employed by Portland Public Schools (PPS).  
8
- 9 2. On February 21, 2023, the Commission received a School District Misconduct  
10 Report from PPS indicating Rothwell may have committed acts which constitute  
11 gross neglect of duty and / or gross unfitness. The report alleged that between  
12 January 9, 2023, and February 9, 2023, Rothwell appeared to be physically and  
13 emotionally impaired while teaching classes and interacting with students and  
14 staff members. It was also alleged that on February 10, 2023, Rothwell  
15 submitted to a drug screening test and tested positive for cocaine.  
16
- 17 3. Investigation found that in February 2023, staff members and students reported  
18 to administration that Rothwell arrived to work late on dates including January  
19 9, 2023, January 17, 2023, January 18, 2023, January 23, 2023, and February 8,  
20 2023. Staff and students reported Rothwell fell asleep in class while teaching  
21 during at least one occasion in February 2023. Staff and students reported  
22 Rothwell arrived late to teach after lunch on at least two occasions between  
23 January and February 2023. Multiple staff members also reported that Rothwell  
24 engaged them in unusual conversation topics between January and February  
25 2023, and during this time Rothwell would sustain long periods of conversation  
26 with her eyes “half-closed” and her body would move erratically. Staff also  
27 reported Rothwell failed to supervise her classroom during several dates as  
28 Rothwell would go to the bathroom for extended periods of time to vomit and  
29 experience nose bleeds.  
30
- 31 4. Investigation found that on January 9, 2023, two students reported to  
32 administration that Rothwell was experiencing mood swings in class and was

1       *“either drunk or super energetic”*. On January 9, 2023, Rothwell was observed by  
2 administration in her classroom leaving the classroom to frequent the bathroom.  
3 Rothwell was also observed by administration to exhibit incoherent speech, an  
4 inability to verbalize simple statements, bloodshot and watery eyes, an inability  
5 to sit still, an unsteady gait, and constant nervousness and laughing.  
6 Administration reported Rothwell’s train of thought was constantly disrupted  
7 while teaching and said Rothwell cried in class and fell asleep in class. It was  
8 lastly reported that Rothwell was questioned by administration on February 9,  
9 2023, and Rothwell claimed to be experiencing a medical crisis. Staff said  
10 Rothwell’s body was shaking, that Rothwell was crying, and that she repeated  
11 several phrases. Staff reported they were unable to regulate Rothwell’s mood  
12 after several attempts were made to calm her for over an hour. On January 9,  
13 2023, Rothwell was instructed to leave campus to take part in a drug test at  
14 Concentra Health Care Facility in Portland, Oregon. However, Rothwell was  
15 unable to provide an adequate sample. On February 10, 2023, Rothwell returned  
16 to the facility and submitted to the drug screening. On February 15, 2023, the  
17 screening confirmed Rothwell tested positive for Cocaine. Following this result,  
18 between February 15, 2023, and March 2, 2023, Rothwell provided several  
19 unprompted emails to her direct supervisor admitting to using cocaine  
20 recreationally and claimed the drug use was from the weekend before. Rothwell  
21 also claimed using cocaine helped her cope with Attention-Deficit Hyperactivity  
22 Disorder (ADHD). On or around January 15, 2023, administration conducted a  
23 search of Rothwell’s classroom and common areas where educators would store  
24 personal belongings. It was reported staff located Kratom in Rothwell’s rolling  
25 filing cabinet next to her desk. Kratom is catalogued as a substance which creates  
26 a stimulant and/or opioid effect.

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- 28       5. Investigation additionally found that on May 30, 2024, Rothwell was mailed  
29 Certified Mail and First-class Mail containing a letter requesting she participate  
30 in an interview with TSPC. The First-class letter was not returned. The Certified  
31 Mail letter was confirmed as being received by a resident at the property on June  
32 11, 2024. Commission staff had previously sent Rothwell a notice of investigation

1 on February 22, 2023, (to the same address) and Rothwell completed the  
2 Certified Mail return receipt on March 1, 2023. On August 28, 2024, Rothwell  
3 was mailed a second set of Certified Mail and First-class Mail letters requesting  
4 she participate in an interview with TSPC. The First-class letter was not  
5 returned. The Certified Mail letter was confirmed as being received by a resident  
6 at the property on September 4, 2024. On July 20, 2024, and August 20, 2024,  
7 Commission staff attempted to contact Rothwell via email and by phone but did  
8 not receive a response. To date, the Commission has not received a response from  
9 Rothwell to indicate cooperation with investigation.

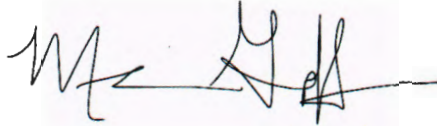
- 10  
11 6. On March 3, 2023, Rothwell effectively signed a Separation Agreement with PPS  
12 and effectively ended her position of employment.

#### 13 14 **CONCLUSIONS OF LAW**

15 By engaging in the above conduct in paragraph three (3), Rothwell engaged in  
16 gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as  
17 it incorporates OAR 584-020-0010(5) (*Use professional judgment*); OAR 584-020-  
18 0020(2)(d) (*Skill in the supervision of students*); OAR 584-020-0025(2)(a)  
19 (*Establishing and maintaining classroom management that is conducive to*  
20 *learning*); OAR 584-020-0025(2)(e) (*Using district lawful and reasonable rules*  
21 *and regulations*); OAR 584-020-0030(2)(b) (*Skill in communicating with*  
22 *administrators, students, staff, parents, and other patrons*); OAR 584-020-  
23 0035(3)(a) (*Maintain the dignity of the profession by respecting and obeying the*  
24 *law, exemplifying personal integrity and honesty*); and OAR 584-020-0040(4)(g)  
25 (*Appearing on duty or at any district-sponsored activity while under the influence*  
26 *of alcohol or any controlled substance*).

27 The conduct described above in paragraph four (4) constitutes gross neglect of  
28 duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates  
29 OAR 584-020-0010(5) (*Use professional judgment*); OAR 584-020-0020(2)(d)  
30 (*Skill in the supervision of students*); OAR 584-020-0025(2)(a) (*Establishing and*  
31 *maintaining classroom management that is conducive to learning*); OAR 584-020-  
32 0025(2)(e) (*Using district lawful and reasonable rules and regulations*); OAR 584-





By: \_\_\_\_\_  
Melissa Goff, Interim Executive Director

NOTICE OF APPEAL OR RIGHTS

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