

- 1 a) Namitz befriended a minor aged, female student (LS) from another school
2 district during a school wrestling event where Namitz coached the team from
3 Marshfield High School, and LS was a “Mat girl” for another school’s team.
- 4 b) On or about February 13, 2011, Namitz sent LS a “friend” request on the social
5 media website Facebook. In Namitz’s request, he included a message that
6 included the statement, “I just wanted to let you know that I think you’re
7 sweet.....Russ”. LS accepted Namitz’s friend request.
- 8 c) Over the school years of 2010-11 and 2011-12, Namitz made posts or comments
9 to LS’s Facebook page, sent her messages via Facebook, exchanged cell phone
10 numbers, and began to exchange text messages with LS.
- 11 d) Namitz’s electronic communications with LS became student – teacher
12 inappropriate and sexually explicit; some examples include:
- 13 • “I just wanted to let you know that I think you’re sweet”
 - 14 • “Bitch”
 - 15 • “You swallow and probably felch”
 - 16 • “Why don’t you do us a favor and go fiddle the bean. It’ll put a smile on
17 your face...maybe even help you sleep.”
 - 18 • “What would you prefer? Masturbate? “Rub one out?”
 - 19 • “Felching isn’t the best thing to be known for”
 - 20 • “Pinching your nips might help with boredom and lameness”.
- 21 e) On February 23, 2011, LS sent Namitz a message asking what hotel Namitz and
22 the team were staying at. Namitz replied by informing her which hotel he was at
23 and provided LS a Google with directions to the hotel.
- 24 f) On April 4, 2011, Namitz responded to a text message from LS involving a
25 discussion the two of them were having about teachers who have sex with
26 students. Namitz’s reply included, “I’m on your side...not ok behavior. But I can
27 see where the line gets slippery....Still nothing good can come from it.... Except
28 the sex itself, of course. But if you ask anyone of the people that got caught if it
29 was worth it, they would say no.”

- 1 g) Namitz sent LS a MHS wrestling shirt as a gift. Namitz later sent LS a message
2 stating, "BTW, I don't want to get you into moral trouble with your coaches or
3 team. No need to wear the shirt to regional's...it's enough that you have it."
4 3. Namitz refused to comply with requests by the Commission to meet with their investigator
5 to be interviewed and / or provide documents as required.
6 4. On April 20, 2012, Namitz resigned from employment with the Coos Bay School
7 District.
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9 CONCLUSIONS OF LAW

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11 Namitz's conduct described in section two (2) above constitutes gross neglect of
12 duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates
13 OAR 584-020-0010(5) (*Use professional judgment*); OAR 584-020-0040(4)(o) as is
14 incorporates OAR 584-020-0035(1)(c)(A) (*Not demonstrating or expressing*
15 *professionally inappropriate interest in a student's personal life*), OAR 584-020-
16 0035(1)(c)(B) (*Not accepting or giving or exchanging romantic or overly personal*
17 *gifts or notes with a student*), OAR 584-020-0035(1)(c)(D) (*Honoring appropriate*
18 *adult boundaries with students in conduct and conversation at all times*); and OAR
19 584-020-0040(4)(f) (*Any sexual conduct with a student*). The Commission may rely on
20 the definitions of sexual conduct in ORS 339.370(9) and OAR 584-020-0005(5).
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22 Namitz's conduct described in section three (3) above constitutes gross neglect of
23 duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(p) (*Subject to the*
24 *exercise of any legal right or privilege, failure or refusal by an educator under*
25 *investigation to respond to requests for information, to furnish documents or to*
26 *participate in interviews with a Commission representative relating to a Commission*
27 *investigation*)
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29 The Commission's authority to impose discipline in this matter is based upon ORS
30 342.175.

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FINAL ORDER

The Commission hereby revokes Russell Allen Namitz’s right to apply for an educator license.

IT IS SO ORDERED THIS 29th day of May, 2014.

TEACHER STANDARDS AND PRACTICES COMMISSION



By: _____
Victoria Chamberlain, 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.

CERTIFICATE OF MAILING

I hereby certify that I served the foregoing notice of final order, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

Russell Allen Namitz
1891 N Keene Way DR, Apt C
Medford, OR 97504-3411

Dated this 29th day of May, 2014.

By: 
Patty Liddell