1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
4 5 6 7	In the Matter of the DEFAULT ORDER OF Educator License of REVOCATION AND REVOCATION DANNY RAY SWANSON OF RIGHT TO APPLY
8	On December 30, 2016, the Teacher Standards and Practices Commission
9	(Commission) issued a Notice of Opportunity for Hearing to Danny Ray Swanson
0	(Swanson) in which the Commission charged him with Gross Neglect of Duty. The
l 1	Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7016 0750
12	0000 2419 0631 to the address on file with the Commission. The Notice designated the
13	Commission file as the record for purposes of proving a prima facie case. The Certified
14	Mail receipt was returned signed to the commission on January 5, 2017. The regular
15	mail was not returned to the Commission. The Notice of Opportunity of Hearing, dated
16	December 30, 2016, and signed by Monica Beane, Executive Director, stated:
17 18 19 20 21 22 23	"IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF YOU FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."
25	Swanson did not request a hearing. The Commission, therefore, finds Swanson to be in
26	default and enters the following findings of fact, conclusions of law, and final order,
27	based on the files and records of the Commission concerning this matter.
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29	FINDINGS OF FACT
30	1. Danny Ray Swanson has been licensed by the Commission since September 26,
31	1983. Swanson's Standard Teaching License; with endorsements in Basic
32	Mathematics (018), Mechanical Systems (024), and Standard Technology Education
33	(018); is valid from August 7, 2012, through May 6, 2018. On June 13, 2016,
34	Swanson submitted a written request / notice that he was surrendering his teaching
35	license, effective on that date, as part of an agreement with the Jackson County
36	District Attorney to settle Swanson's related criminal investigation. During all
37	relevant times. Swanson was employed by the Southern Oregon Education Service

- District and providing substitute teaching services to the Rouge River School
- 2 District.
- 3 2. On April 15, 2015, the Commission received a report from the Oregon Department of
- 4 Human Services alleging that Swanson had inappropriately touched a female
- 5 student. On June 11, 2015, the Commission received a report from the Rogue River
- 6 School District asserting similar allegations. On June 15, 2015, the Commission
- 7 received a report from the Southern Oregon Education Service District, also
- 8 reporting possible misconduct related to the other reports. The resulting district, law
- 9 enforcement, and Commission investigations determined that on or about April 2nd
- and 3rd, 2015, while Swanson was employed as a substitute teacher at Rouge Rive
- High School, Swanson used inappropriate language to include the word "pussy", in
- the classroom, while in the presence of students. Swanson was witnessed looking at
- the breasts and buttocks of female students while they were seated in the classroom
- and as they would leave the room. Swanson also inappropriately touched a 14-year-
- old female student on her buttocks with his hand. The resulting police investigation
- of sex abuse allegations led to a criminal charge of Harassment (ORS 166.065), a
- class A misdemeanor. Investigation determined Swanson's conduct to be
- inappropriate and in violation of local policy, and Swanson's employment was
- terminated. At a later date, the criminal charges were dismissed as a result of a plea
- agreement that required Swanson to permanently surrender his teaching license. On
- June 13, 2016, the Commission received a letter from Swanson surrendering his
- 22 teaching license.

CONCLUSIONS OF LAW

Danny Ray Swanson's conduct describes above constitutes gross neglect of duty

- 25 in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR
- 26 584-020-0010(1) (Recognize the worth and dignity of all persons and respect for each
- 27 individual), OAR 584-020-0010(5) (Use professional judgment), OAR 584-020-
- 28 0025(2)(e) (Using district lawful and reasonable rules and regulations); and OAR 584-
- 29 020-0040(4)(0) as it incorporates OAR 584-020-0035(1)(c)(D) (Honoring
- 30 appropriate adult boundaries with students in conduct and conversations at all times).

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1	The Commission's authority to impose discipline in this matter is based upon
2	ORS 342.175.
3	FINAL ORDER
4	The Commission hereby revokes Danny Ray Swanson's Oregon educator license
5	and revokes his right to apply for an Oregon educator license.
6	IT IS SO ORDERED THIS 27 th day of February, 2017.
7	TEACHER STANDARDS AND PRACTICES COMMISSION
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10	By: Morica Blane Dr. Monica Beane, Executive Director
10 11 12 13	Dr. Monica Beane, Executive Director
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14 15	NOTICE OF APPEAL OR RIGHTS
16	NOTICE OF THE LEGICITIES
17	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
18	BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE
19	SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF
20	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:

Danny Ray Swanson 511 Summerlin Dr. Central Point, OR 97502

Dated this 27th day of February, 2017.

Patry Sheldon

Investigative Assistant