1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
4 5 6 7 8	In the Matter of the) DEFAULT ORDER OF Educator License of) REVOCATION OF ROBERT HUMBERT) LICENSURE
9	On September 28, 2018, the Teacher Standards and Practices Commission
10	(Commission) issued a Notice of Opportunity for Hearing to Robert Humbert
11	(Humbert) in which the Commission charged him with Gross Neglect of Duty and /or
12	Gross Unfitness. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail
13	Receipt 7018 0680 0000 1028 2821 to the address on file with the Commission. The
14	Notice designated the Commission file as the record for purposes of proving a prima
15	facie case. The Certified Mail was returned to the Commission "delivered" on October 2
16	2018. The regular first class mail was not returned to the Commission, and assumed
17	delivered. The Notice of Opportunity of Hearing, dated September 28, 2018, and signed
18	by Anthony Rosilez, Executive Director, stated:
19 20 21 22 23 24 25 26	"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."
27	Humbert did not request a hearing. The Commission, therefore, finds Humbert to be in
28	default and enters the following findings of fact, conclusions of law, and final order,
29	based on the files and records of the Commission concerning this matter.
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31	FINDINGS OF FACT
32	1. Robert Humbert has been licensed by the Commission since July 17, 1985.
33	Humbert's Professional Teaching License, with endorsements in Foundational
34	Mathematics (PK-12) and Physical Education (PK-12), was valid from August 5,
35	2016, through August 4, 2021. During all relevant times, Humbert was employed by
36	the South Umpqua School District (SUSD).
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- 1 2. On September 15, 2017, the Commission received two reports from the Oregon 2 Department of Human Services (DHS) indicating that Humbert had engaged in 3 conduct that may be considered gross neglect of duty and/or gross unfitness. The reports stated multiple female students had complained that Humbert had 4 inappropriately interacted with them, making them feel uncomfortable. On October 5 27, 2017, the Commission received a School District Misconduct Report related to 6 7 the same allegations as the DHS reports. SUSD reported Humbert had violated 8 related district policy. The Commission learned that local law enforcement had
- 3. The district received a complaint from the parent of female student MH. MH
 reported that she had used foul language in Humbert's shop classroom and Humbert
 said something to the effect that she was too pretty to talk like that. MH reported
 that Humbert's comment bothered her. A few days later, on or about September 14,
 2017, SUSD received five additional written complaints from other female students
 who had been in Humbert's math class the previous year. A summary of their
 allegations includes:

conducted an investigation and that no criminal charges had been filed.

- a. Rubbing his crotch on one student's leg
 - b. Rubbing his crotch on one student's back while walking between desk rows
- c. Touching one student's buttocks
 - d. Staring at Student's breasts and / or butts
 - e. Rubbing his hand upward from one student's ankle to thigh
 - f. Grabbing one student's leg at the thigh near the crotch
- g. Rubbing one student's hip area
- h. Grabbing one student's thigh while squatting down near her desk
- All complaining students stated Humbert made them feel uncomfortable. SUSD determined Humbert was in violation of district policies; however, before SUSD could take disciplinary action, Humbert signed a separation agreement on October 25, 2017. Humbert agreed to remain on administrative leave while retiring effective November 30, 2017.

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1	CONCLUSIONS OF LAW
2	Robert Humbert's conduct described in each of the sections of paragraph three
3	(3) above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-
4	020-0010(5) (Use professional judgment), OAR 584-020-0025(2)(e) (Using district
5	lawful and reasonable rules and regulations), OAR 584-020-0030(2)(b) (Skill in
6	communicating with administrators, students, staff, parents, and other patrons), OAR
7	584-020-0040(4)(f) (Sexual conduct with a student, as defined in OAR 584-020-
8	0005(5)(d) Verbal or physical conduct of a sexual nature when directed toward a
9	student or when such conduct has the effect of unreasonably interfering with a
10	student's educational performance or creates an intimidating, hostile or offensive
11	educational environment; and /or (e) Verbal or physical conduct which has the effect
12	of unreasonably interfering with a student's educational performance or creates an
13	intimidating, hostile or offensive educational environment); and OAR 584-020-
14	0040(4)(0) as it incorporates, OAR 584-020-0035(1)(c)(D) (Honoring appropriate
15	adult boundaries with students in conduct and conversations at all times).
16	The Commission's authority to impose discipline in this matter is based
17	upon ORS 342.175.
18	FINAL ORDER
19	The Commission hereby revokes Robert Humbert's Educator license.
20	IT IS SO ORDERED THIS 23 day of January, 2019.
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22	TEACHER STANDARDS AND PRACTICES COMMISSION
23 24	By:

1	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.