



1 2. On March 7, 2017, the Commission received a report from the Department of  
2 Human Services (DHS) containing information that while Ross was a teacher with  
3 the SKSD, Ross allegedly had inappropriately touched a minor student over a period  
4 of several years. Ross was placed on administrative leave by SKSD. On June 15, 2017,  
5 the commission received a report from SKSD advising that Ross had been arrested  
6 on charges of sexual abuse. Due to the law enforcement investigation process, the  
7 Commission proceeded with its investigation in April 2018. Investigation  
8 determined the following:

- 9  
10 a. Beginning in 2001, Ross engaged in sexual contact with minor aged  
11 student MP, on school property, which continued until approximately  
12 2004.  
13 b. Beginning in 2009, Ross sexually touched student GM, and had GM touch  
14 him sexually, while on school property. This conduct occurred multiple  
15 times and included sexual penetration of GM with Ross' fingers. Ross'  
16 sexual conduct with GM continued until approximately 2015.

17  
18 3. On February 26, 2018, by plea agreement, Ross was convicted of four counts of Sex  
19 Abuse in the First Degree ORS 163.427, four counts of Sex Abuse in the Second  
20 Degree, ORS 163.425, and one count of Unlawful Sexual Penetration in the Second  
21 Degree, ORS 163.408. Ross was sentenced to 45.5 years' incarceration, to be served  
22 concurrently, for a total of 20 years. Ross' sentencing included post-prison  
23 supervision and required Ross to register as a sex offender.  
24

### 25 CONCLUSIONS OF LAW

26 Shane Ross' criminal convictions constitute gross neglect of duty in violation of  
27 ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5)  
28 (*Use professional judgment*); and OAR 584-020-0040(1) (*The Commission will deny,*  
29 *revoke or deny the right to apply for a license or charter school registration to any*  
30 *applicant or educator who, has been convicted of any of the crimes listed in ORS*  
31 *342.143, or the substantial equivalent of any of those crimes if convicted in another*  
32 *jurisdiction, or convicted of attempt to commit such crimes as defined in ORS 161.405*

1 ), including *ORS 163.427 – Sex Abuse in the First Degree, ORS 163.425 - Sex Abuse in*  
2 *the Second Degree, and ORS 163.408 – Unlawful Sexual Penetration in the Second*  
3 *Degree. This conduct also constitutes gross unfitness in violation of ORS 342.175(1)(c);*  
4 *OAR 584-020-0040(5)(c) (Conviction of violating any federal, state, or local law. A*  
5 *conviction includes any final judgment of conviction by a court whether as the result of*  
6 *guilty plea, no contest plea or any other means); OAR 584-020-0040(5)(d)*  
7 *(Commission of an act listed in OAR 584-020-0040(1)); and OAR 584-020-0040(5)(e)*  
8 *(Admission of or engaging in acts constituting criminal conduct, even in the absence of*  
9 *a conviction).*

10  
11 Pursuant to ORS 342.175(3) and OAR 584-020-0040(1) the Teacher Standards  
12 and Practices Commission must revoke Ross' license and Ross' right to apply for a  
13 license based on conviction of any of the crimes listed in ORS 342.143(3)(a), or the  
14 substantial equivalent of any of those crimes.

15  
16 Furthermore, the conduct underlying Ross' convictions constitutes gross neglect  
17 of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates  
18 OAR 584-020-0010(5) (*Use professional judgment*); OAR 584-020-0040(4)(f) (*Any*  
19 *sexual conduct with a student*) as defined by OAR 584-020-0005(5); OAR 584-020-  
20 0040(4)(o) as it incorporates OAR 584-020-0035(1)(c)(D) (*Honoring appropriate*  
21 *adult boundaries with students in conduct and conversations at all times*); and OAR  
22 584-020-0035(3)(a) (*Maintain the dignity of the profession by respecting and obeying*  
23 *the law, exemplifying personal integrity and honesty*). Additionally, your criminal  
24 convictions and conduct related to your convictions constitute "gross unfitness" in  
25 violation of ORS 342.175(1)(c); OAR 584-020-0040(3)(c) and (d) as defined by OAR  
26 584-020-0040 (5) (*Gross unfitness is any conduct which renders an educator*  
27 *unqualified to perform his or her professional responsibilities*).

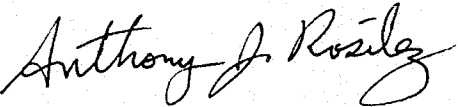
28  
29 The Commission's authority to impose discipline in this matter is based upon  
30 ORS 342.175.

1 **FINAL ORDER**

2 The Commission hereby revokes Shane Ross' Educator license and his right to  
3 apply for licensure.

4 IT IS SO ORDERED THIS 28<sup>th</sup> day of January, 2019.

5 TEACHER STANDARDS AND PRACTICES COMMISSION

6 By:   
7 Dr. Anthony Rosilez, Executive Director  
8

9 **NOTICE OF APPEAL OR RIGHTS**

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