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BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
OF THE STATE OF OREGON

In the Matter of the) STIPULATION OF FACTS,
Teaching License of) SURRENDER, FINAL ORDER
TY JASON ROTHENBERGER) OF REVOCATION OF RIGHT TO APPLY

On or about March 21, 2006, the Teacher Standards and Practices Commission (Commission) received a report from Jack Musser, Superintendent, Forest Grove School District, indicating that Mr. Rothenberger may have engaged in conduct constituting gross neglect of duty.

The Commission charged Rothenberger with gross neglect of duty on June 10, 2008. After review of the matters alleged, Mr. Rothenberger and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts and a surrender of his teaching license pursuant to OAR 584-050-0027.

Mr. Rothenberger agrees that the Commission has the authority to investigate the allegations against him, make findings of fact and conclusions of law. Mr. Rothenberger understands that the Commission will rely upon these findings to revoke his license and waives his right to appeal the revocation of his license.

Mr. Rotherberger denies the conduct alleged, but stipulates that the TSPC has the statutory authority to rely upon these facts to support this order and that he will not contest this order.

By signing below, Mr. Rothenberger acknowledges, understands, stipulates, and agrees to the following: (i) he has been fully advised of his rights to notice and a hearing to contest the findings of fact, conclusions of law, and order set forth below, and fully and finally waives all such rights and any rights to appeal or otherwise challenge this Stipulation of Facts, of Surrender and Final Order of Revocation (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to the public upon request by the Commission;

1 (iii) this Stipulation and Final Order is contingent upon and subject to approval and adoption by
2 the Commission. If the Commission does not approve and adopt this Stipulation and Final
3 Order, then neither Mr. Rotheberger nor the Commission are bound by the terms herein; (iv) he
4 has fully read this Stipulation and Final Order, and understands it completely; (v) he voluntarily
5 enters into this Stipulation and Final Order and consents to issuance and entry of the Stipulated
6 Final Order below; (vi) he has consulted with an attorney regarding this Stipulation and Final
7 Order and has been fully advised with regard to his rights thereto, or waives any and all rights to
8 consult with an attorney prior to entering into this Stipulation and Final Order and issuance and
9 entry of the Stipulated Final Order below.

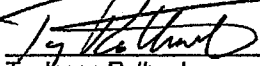
10 **FINDINGS OF FACTS**

11 1. The Commission has licensed Mr. Rothenberger since October 5, 2005. Mr.
12 Rothenberger's license expired April 20, 2007, and he is not teaching.

13 2. During the 2005-2006 school year, Mr. Rothenberger inappropriately touched student
14 KM as alleged in the Notice of Opportunity for hearing.

15 3. During the 2005-2006 school year, Mr. Rothenberger developed an inappropriate
16 relationship with KM, which included having conversations on the phone late at night or early
17 morning hours; having conversations of an overly personal nature; exchanging emails alluding
18 to an inappropriate relationship; sharing a blanket during a bus trip following a basketball game;
19 and not reporting to his supervisor that KM had visited his apartment.

20 IT IS SO STIPULATED:

21 
22 Ty Jason Rothenberger

11/17/08
Date

23 
24 Victoria Chamberlain, Executive Director
25 Teacher Standards and Practices Commission
26

5-4-09
Date

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CONCLUSION OF LAW

By engaging in the conduct described in paragraphs 2 and 3 above, Mr. Rothenberger engaged in gross neglect of duty in violation of OAR 584-020-0040(4)(f), (o); OAR 584-020-0040(4) as it incorporates OAR 584-020-0035(1)(c)(A), (B) and (D); and OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5). The Commission's authority to impose discipline in this matter is based upon ORS 342.175.

ORDER

The Commission accepts the surrender of Ty Jason Rothenberger's Teaching License and hereby revokes his right to apply for a license ORS 342.175 for a period of one year from the date of this order.

IT IS SO ORDERED this 4th May, 2009 day of ~~November, 2008~~.

TEACHER STANDARDS AND PRACTICES COMMISSION

By: Victoria Chamberlain
Victoria Chamberlain, Executive Director

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