1 2	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
3 4 5 6 7 8 9	In the Matter of the Educator License of OF RIGHT TO APPLY ROBERT LENN WEEMS DEFAULT ORDER OF REVOCATION AND REVOCATION OF RIGHT TO APPLY FOR LICENSURE
10	On July 24, 2019, the Teacher Standards and Practices Commission
11	(Commission) issued a Notice of Opportunity for Hearing to Robert Weems (Weems) in
12	which the Commission charged him with Gross Neglect of Duty and Gross Unfitness.
13	The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7018 1830
14	0001 6178 6117 to the address on file with the Commission. The Notice designated the
15	Commission file as the record for purposes of proving a prima facie case. The Certified
16	Mail was returned to the Commission as "Not Deliverable", on August 5, 2019. The
17	regular first class mail was not returned to the Commission, and assumed delivered. The
18	Notice of Opportunity of Hearing, dated July 24, 2019, and signed by Anthony Rosilez,
19	Executive Director, stated:
20 21 22 23 24 25 26 27 28 29	"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, WITHDRAW YOUR REQUEST FOR HEARING, IF YOU FAIL TO APPEAR AT A HEARING, OR NOTIFY THE COMMISSION THAT YOU WILL NOT APPEAR AT HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."
30	Weems did not request a hearing. The Commission, therefore, finds Weems to be in
31	default and enters the following findings of fact, conclusions of law, and final order,
32	based on the files and records of the Commission concerning this matter.
33	
34	FINDINGS OF FACT
35	1. Robert Weems has been licensed by the Commission since July 1, 2015. Weems'
36	Restricted Teaching License, with an endorsement in Elementary – Multiple
37	Subjects (PK-12) was valid from July 1, 2017, through June 30, 2018. During all

1		relevant times Weems was employed by the North Wasco County School District
2		(NWCSD) and the Morrow County School District (MCSD).
3	2.	On February 15, 2018, the Commission received a report from MCSD, informing the
4		Commission that Weems had been arrested for sex abuse and official misconduct
5		based on allegations that Weems was involved in a sexual relationship with female
6		student. The Commission also received a report from the NWCSD reporting the
7		same misconduct allegations, adding that the involved student attended school at
8		NWCSD and that Weems had been employed at NWCSD as a long term substitute
9		teacher during the 2016-2017 school year.
10		Investigation determined that Weems began having an inappropriate relationship
11		with the student in 2016, when she was 16 years old. Weems exchanged contact
12		information and communicated via email, text messages, and social media
13		platforms. Weems' communications included boundary violations, flirtation, sharing
14		of photos, personal information and sexual fantasies. Beginning in October 2017,
15		Weems' relationship with the student became physical. This included kissing; sexual
16		touching; and in November of 2017, sexual intercourse. On February 2, 2018,
17		Weems was arrested and charged with two felony counts of Sex Abuse 2 and one
18		count of Sex Abuse 3
19		o as a large state of ODS
20	3.	On March 7, 2019, Weems plead guilty to and was convicted of two counts of ORS
21		163.425, Sexual Abuse in the Second Degree, a Class C Felony, and one count of ORS
22		162.415, Official Misconduct in the First Degree, a class A misdemeanor. Weems was
23		sentenced to 150 days in jail, followed by 36 months of probation, and required to

CONCLUSIONS OF LAW

register as a sex offender.

Robert Weems' criminal convictions as described in section three (3) above, constitute gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*); and OAR 584-020-0040(1) (*The Commission will deny, revoke or deny the right to apply for a license or charter school registration to any applicant or educator who has been convicted of any of the crimes listed in ORS 342.143, or the substantial equivalent of*

any of those crimes if convicted in another jurisdiction, or convicted of attempt to commit such crimes as defined in ORS 161.405), including ORS 163.425 –Sexual Abuse in the Second Degree. This conduct also constitutes gross unfitness in violation of ORS 342.175(1)(c); OAR 584-020-0040(5)(c) (Conviction of violating any federal, state, or local law. A conviction includes any final judgment of conviction by a court whether as the result of guilty plea, no contest plea or any other means); OAR 584-020-0040(5)(d) (Commission of an act listed in OAR 584-020-0040(1); and OAR 584-020-0040(5)(e) (Admission of or engaging in acts constituting criminal conduct, even in the absence of a conviction).

Pursuant to ORS 342.175(3) and OAR 584-020-0040(1) the Teacher Standards and Practices Commission must revoke Weems' license and / or Weems' right to apply for a license based on Weems' conviction of any of the crimes listed in ORS 342.143(3)(a), or the substantial equivalent of any of those crimes, or convicted of attempt to commit such crimes as defined in ORS 161.405.

Furthermore, the conduct underlying Weems' convictions as described in section two (2) above, constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*); OAR 584-020-0040(4)(f) (*Any sexual conduct with a student*) as defined by OAR 584-020-0005(5); OAR 584-020-0040(4)(0) as it incorporates OAR 584-020-0035(1)(c)(D) (*Honoring appropriate adult boundaries with students in conduct and conversations at all times*); and OAR 584-020-0035(3)(a)(*Maintain the dignity of the profession by respecting and obeying the law, exemplifying personal integrity and honesty*). Additionally, Weems' criminal convictions and conduct related to his convictions constitute "gross unfitness" in violation of ORS 342.175(1)(c); OAR 584-020-0040(3)(c) and (d) as defined by OAR 584-020-0040 (5) (*Gross unfitness is any conduct which renders an educator unqualified to perform his or her professional responsibilities*).

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

1	FINAL ORDER
2	The Commission hereby revokes Robert L. Weems' Oregon educator license and
3	his right to apply for an Oregon educator license.
4	IT IS SO ORDERED THIS 20th day of September, 2019.
5	TEACHER STANDARDS AND PRACTICES COMMISSION
6	By: Anthony J. Rosilez
7	Dr. Anthony Rosilez, Executive Director
8	NOTICE OF APPEAL OR RIGHTS
10	THE PROPERTY OF THE PROPERTY O
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.