

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

In the Matter of the)	DEFAULT ORDER OF
Educator License of)	REVOCATION AND REVOCATION
)	OF RIGHT TO APPLY
KYLE J WROBLEWSKI)	FOR LICENSURE

On October 7, 2019, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Kyle J. Wroblewski (Wroblewski) in which the Commission charged him with Gross Neglect of Duty and Gross Unfitness. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7018 1830 0001 6178 6711 to the address on file with the Commission. The Notice designated the Commission file as the record for purposes of proving a prima facie case. The Certified Mail was returned to the Commission signed on October 10, 2019. The regular first class mail was not returned to the Commission, and assumed delivered. The Notice of Opportunity of Hearing, dated October 7, 2019, and signed by Anthony Rosilez, Executive Director, stated:

“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.”

Wroblewski did not request a hearing. The Commission, therefore, finds Wroblewski to be in default and enters the following findings of fact, conclusions of law, and final order, based on the files and records of the Commission concerning this matter.

FINDINGS OF FACT

1. Kyle Wroblewski has been licensed by the Commission since January 28, 1998. Wroblewski’s Standard Teaching License, with an endorsement in Standard Social Studies (020), was valid from March 19, 2014 through April 1, 2019. During all relevant times Wroblewski was employed by the St. Helens School District (SHSD).

- 1 2. On May 2, 2018, the Commission received a report from Oregon’s Department of
2 Human Services (DHS), alleging that Wroblewski was possibly involved in a sexual
3 relationship with female student. Local law enforcement and SHSD were notified,
4 and multiple investigations were conducted. Investigation determined that during
5 the 2017-2018 school year, Wroblewski engaged in sexual conduct with a minor aged
6 student. Wroblewski’s sexual conduct with the minor student included intercourse
7 and other acts of sexual conduct. Investigation determined there were additional
8 teacher / student boundary violations and the use of marijuana with a minor. On or
9 about July 9, 2018, Wroblewski was indicted on 32 counts of Sexual Abuse in the
10 Second Degree (ORS 163.425). Wroblewski was also indicted on two counts of
11 Official Misconduct in the First Degree (ORS 162.415).
- 12
- 13 3. On August 19, 2019, Wroblewski plead guilty to, and was convicted of five counts of
14 Sexual Abuse in the Second Degree, ORS 163.425, a Class C Felony. Wroblewski was
15 sentenced to serve all counts concurrently for a total of 30 months in prison with two
16 years of post-prison supervision and required to register as a sex offender.

17 **CONCLUSIONS OF LAW**

18 Kyle Wroblewski’s criminal convictions as described in section three (3) above,
19 constitute gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-
20 0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*); and
21 OAR 584-020-0040(1) (*The Commission will deny, revoke or deny the right to apply*
22 *for a license or charter school registration to any applicant or educator who, has been*
23 *convicted of any of the crimes listed in ORS 342.143, or the substantial equivalent of*
24 *any of those crimes if convicted in another jurisdiction, or convicted of attempt to*
25 *commit such crimes as defined in ORS 161.405*), including ORS 163.425 –*Sexual Abuse*
26 *in the Second Degree*. This conduct also constitutes gross unfitness in violation of ORS
27 342.175(1)(c); OAR 584-020-0040(5)(c) (*Conviction of violating any federal, state, or*
28 *local law. A conviction includes any final judgment of conviction by a court whether as*
29 *the result of guilty plea, no contest plea or any other means*); OAR 584-020-
30 0040(5)(d) (*Commission of an act listed in OAR 584-020-0040(1)*); and OAR 584-020-
31 0040(5)(e) (*Admission of or engaging in acts constituting criminal conduct, even in*

1 *the absence of a conviction).*

2
3 Pursuant to ORS 342.175(3) and OAR 584-020-0040(1) the Teacher Standards
4 and Practices Commission must revoke Wroblewski's license and / or Wroblewski's
5 right to apply for a license based on Wroblewski's conviction of any of the crimes listed
6 in ORS 342.143(3)(a), or the substantial equivalent of any of those crimes, or convicted
7 of attempt to commit such crimes as defined in ORS 161.405.

8
9 Furthermore, the conduct underlying Wroblewski's convictions as described in
10 section two (2) above, constitutes gross neglect of duty in violation of ORS
11 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use*
12 *professional judgment*); OAR 584-020-0040(4)(f) (*Any sexual conduct with a student*)
13 as defined by OAR 584-020-0005(5); OAR 584-020-0040(4)(o) as it incorporates OAR
14 584-020-0035(1)(c)(D) (*Honoring appropriate adult boundaries with students in*
15 *conduct and conversations at all times*); and OAR 584-020-0035(3)(a) (*Maintain the*
16 *dignity of the profession by respecting and obeying the law, exemplifying personal*
17 *integrity and honesty*). Additionally, Wroblewski's criminal convictions and conduct
18 related to his convictions constitute "gross unfitness" in violation of ORS 342.175(1)(c);
19 OAR 584-020-0040(3)(c) and (d) as defined by OAR 584-020-0040 (5) (*Gross*
20 *unfitness is any conduct which renders an educator unqualified to perform his or her*
21 *professional responsibilities*).

22
23 The Commission's authority to impose discipline in this matter is based upon
24 ORS 342.175.

25 **FINAL ORDER**

26 The Commission hereby revokes Kyle Wroblewski's Educator license and his
27 right to apply for licensure.

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29 IT IS SO ORDERED THIS 31st day of January, 2020.

1 TEACHER STANDARDS AND PRACTICES COMMISSION

2
3 By: Anthony J. Rosilez
4 Dr. Anthony Rosilez, Executive Director
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6 NOTICE OF APPEAL OR RIGHTS
7

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