

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

3
4 In the Matter of the)
5 Teaching License of) DEFAULT ORDER OF
6 THEODORE ALEXANDER CHISM) PUBLIC REPRIMAND
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9 On March 24, 2010, the Teacher Standards and Practices Commission

10 (Commission) issued a Notice of Opportunity for Hearing to Theodore Alexander Chism
11 (Chism) in which the Commission charged him with Gross Neglect of Duty pursuant to
12 OAR 584-020-0010(5) and OAR 584-020-0040(4)(d). The Notice was sent via U.S.
13 First Class Mail and U.S. Certified Mail Receipt 7009 1410 0002 1925 4737 to the
14 address on file with the Commission. The Notice was signed for by Mr. Chism on
15 March 26, 2010. The Notice of Opportunity of Hearing, dated March 24, 2010, and
16 signed by Victoria Chamberlain, Executive Director, stated:

17 "IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY
18 PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED
19 UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR
20 REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF
21 YOU FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN
22 ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR
23 SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."
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25 Mr. Chism did not request a hearing. The Commission, therefore, finds Mr. Chism to be
26 in default and enters the following findings of fact, conclusions of law and order, based
27 on the files and records of the Commission concerning this matter.

28 **FINDINGS OF FACT**

- 29 1. The Commission has licensed Mr. Chism since September 30, 1975. He
30 currently holds a Standard Teaching License issued January 4, 2009, that
31 expires January 3, 2014, with endorsements in Basic Language Arts and Basic

1 Social Studies. During all relevant times, Mr. Chism was employed by the
2 Reedsport School District.

- 3 2. On May 28, 2008, Mr. Chism roughly grabbed and restrained, by their clothing,
4 two seventh-grade male students. On the same day, Mr. Chism roughly grabbed
5 another male student by the wrist. These two incidents occurred after an
6 October 26, 2007 verbal directive that Mr. Chism avoid touching students except
7 in specific safety situations. On June 11, 2008, he received a written directive to
8 refrain from touching students or treating them roughly.
- 9 3. On May 11, 2009, Mr. Chism grabbed a male student by the arm and forcefully
10 removed the student from the classroom. The student indicated that he felt pain
11 where Mr. Chism held his arm.

12 **CONCLUSIONS OF LAW**

13 Theodore Alexander Chism's rough handling of two students on May 28, 2008,
14 constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-
15 0040(4)(n) as it incorporates OAR 584-020-0030(3)(d) (*Skill in reconciling conflict*). Mr.
16 Chism's physical conduct with a student on May 11, 2009, constitutes gross neglect of
17 duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(d) (*Unreasonable*
18 *physical force against students, fellow employees, or visitors to the school, except as*
19 *permitted under ORS 339.250*). The Commission's authority to impose discipline in this
20 matter is based upon ORS 342.175.

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1 **FINAL ORDER**

2 The Commission hereby imposes a Reprimand on Theodore Alexander Chism's
3 educator license.

4 IT IS SO ORDERED THIS 14th day of May, 2010.

5 **TEACHER STANDARDS AND PRACTICES COMMISSION**

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8 By: 
9 Victoria Chamberlain, Executive Director

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13 **NOTICE OF APPEAL OR RIGHTS**

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16 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
17 BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE
18 SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS
19 OF ORS 183.482 TO THE OREGON COURT OF APPEALS.
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CERTIFICATE OF MAILING

I hereby certify that I served the foregoing notice of final order, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

Theodore Alexander Chism
PO Box 5889
Charleston OR 97420

Dated this 12th day of July 2010.

By: Melody Hanson
Melody Hanson
Executive Assistant