## 1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON 3 In the Matter of the STIPULATION OF FACTS AND 4 Educator License of ) FINAL ORDER OF PUBLIC 5 JEFFREY W. FOSTER REPRIMAND 6 7 On June 15, 2017, the Teacher Standards and Practices Commission 8 (Commission) received a report from the Coquille School District (CSD), alleging 9 professional misconduct on the part of licensed educator, Jeffrey W. Foster (Foster). 10 After review of the matters alleged, Foster and the Commission agree that their 11 respective interests, together with the public interest, are best served by a stipulation to 12 certain facts and the imposition of a Public Reprimand. 13 This Order sets forth the facts upon which the parties have agreed and the 14 sanction to be imposed. Foster stipulates that there are sufficient facts contained in the 15 Commission's files and records to support the findings of fact and conclusions of law set 16 forth below. In entering into this stipulation, Foster waives the right to a hearing to

contest the findings of fact, conclusions of law and order set forth below.

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By signing below, Foster 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 and Final Order of Public Reprimand (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to the public upon request by the Commission; (iii) this Stipulation and Final Order is contingent upon and subject to approval and adoption by the Commission. If the Commission does not approve and adopt this Stipulation and Final Order, then neither Foster nor the Commission are bound by the terms herein; (iv) he has fully read this Stipulation and Final Order, and understands it completely; (v) he voluntarily, without any force or duress, enters into this Stipulation and Final Order and consents to issuance and entry of the Stipulated Final Order below; (vi) he states that no promise or representation has been made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an attorney regarding this Stipulation and Final Order and has been fully advised with regard to his rights thereto, or waives any and all rights to consult with an attorney prior to entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order below.

## 1 STIPULATION OF FACTS 2 1. The Commission has licensed Foster since August 13, 2002. Foster's Professional 3 Teaching License, with an endorsement in Elementary – Multiple Subjects (PK-4 12), is valid from June 30, 2015, through June 29, 2020. During all relevant 5 times, Foster was employed by the CSD. 6 7 2. On June 15, 2017, the Commission received a complaint from a patron of the CSD 8 alleging Foster had violated professional standards and local policy when Foster 9 physically and roughly interacted with a kindergarten student at recess. 10 Investigation determined that on May 31, 2017, Foster directed a six year old 11 kindergarten student (RH) to stop talking to another student who had been 12 placed in time out during recess. Foster errantly believed RH was being defiant 13 and disrespectful when he failed to comply. In apparent frustration, Foster 14 grabbed RH's arm and pulled him across the playground, swung him by the arm 15 around a gate, and hurried him by his hand to the office for discipline. Later, 16 when Foster was able to view the video coverage of the event, Foster realized that 17 he had misunderstood what RH had been doing. RH had been distracted by 18 someone blowing bubbles around the fence and time out area and had not 19 intentionally disrespected Foster nor knowingly ignored Foster's directions. 20 Foster acknowledged he had used more force than was necessary to accomplish 21 the task of getting RH to the office. In the course of the districts investigation, 22 Foster elected to resign his employment with CSD effective June 16, 2017. 23 24 25 IT IS SO STIPULATED: 26 $\frac{6 - 11 - 19}{\text{Date}}$ 27 28 Jeffrey W. Foster 29 30

Trent Danowski, Deputy Director

Teacher Standards and Practices Commission

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1	CONCLUSION OF LAW
2	The conduct described above constitutes gross neglect of duty in violation of ORS
3	342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(1)
4	(Recognize the worth and dignity of all persons and respect for each individual), OAR
5	584-020-0010(5) (Use professional judgment), OAR 584-020-0025(2)(e) (Using
6	district lawful and reasonable rules and regulations); and OAR 584-020-0040(4)(d)
7	(Unreasonable physical force against students, fellow employees, or visitors to the
8	school, except as permitted under ORS 339.250).
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10	The Commission's authority to impose discipline in this matter is based upon
11	ORS 342.175.
12	ORDER
13	The Commission adopts and incorporates herein the above findings of fact and
14	conclusions of law, and based thereon, imposes a Public Reprimand on Jeffrey Foster's
15	Oregon educator license.
16	Furthermore, the Commission requires Foster to complete Commission approved
17	training related to Student Management or Anger Management and submit proof of
18	completion to Commission staff within twelve months of the signing of this order.
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21	Issued and dated this 12 day of
22	TEACHER STANDARDS AND PRACTICES COMMISSION
23	STATE OF OREGON
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25	By July a
26	Dr. Anthony Rosilez, Executive Director