## BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION

## OF THE STATE OF OREGON

3	In the Matter of the	)	STIPULATION OF FACTS AND
4	Educator License of	)	FINAL ORDER OF SUSPENSION
5	ALVIN B. COTA	)	AND PROBATION
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On February 2, 2018, the Teacher Standards and Practices Commission
(Commission) opened an investigation after receiving information from the Woodburn
School District (WSD) indicating Alvin B. Cota (Cota) may have committed an act of
gross neglect of duty and/or gross unfitness, specifically, unprofessional interactions
with coworker(s) / WSD employees that were in violation of WSD sexual harassment
policies.

After review of the matters alleged, Cota and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts, the imposition of a 30 day suspension of Cota's Oregon educator license, followed by a one year period of probation and sexual harassment training to be completed during the probationary term.

18 This Order sets forth the facts upon which the parties have agreed and the 19 sanction to be imposed. Cota stipulates that there are sufficient facts contained in the 20 Commission's files and records to support the findings of fact and conclusions of law set 21 forth below. In entering into this stipulation, Cota waives the right to a hearing to 22 contest the findings of fact, conclusions of law and order set forth below.

By signing below, Cota acknowledges, understands, stipulates, and agrees to the 23 following: (i) he has been fully advised of his rights to notice and a hearing to contest the 24 findings of fact, conclusions of law, and order set forth below, and fully and finally 25 waives all such rights and any rights to appeal or otherwise challenge this Stipulation of 26 Facts and Final Order of Suspension and Probation (Stipulation and Final Order); (ii) 27 this Stipulation and Final Order is a public document and disclosed to the public upon 28 request by the Commission; (iii) this Stipulation and Final Order is contingent upon and 29 subject to approval and adoption by the Commission. If the Commission does not 30 approve and adopt this Stipulation and Final Order, then neither Cota nor the 31 Commission are bound by the terms herein; (iv) he has fully read this Stipulation and 32 33 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 34 the Stipulated Final Order below; (vi) he states that no promise or representation has 35

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1	been m	nade to induce him to sign this Stipulation and Final Order; and (vii) he has	
2	consulted with an attorney regarding this Stipulation and Final Order and has been fully		
3	advised with regard to his rights thereto, or waives any and all rights to consult with an		
4	attorney prior to entering into this Stipulation and Final Order and issuance and entry of		
5	the Stipulated Final Order below.		
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7		STIPULATION OF FACTS	
8	1.	The Commission has licensed Cota since August 14, 1998. Cota held a Standard	
9		Teaching License, with endorsements in Middle School language Arts (023);	
10		Basic English to Speakers of Other Languages (017); and Standard Social Studies	
11		(020), valid from July 24, 2013 through July 23, 2018. Cota made timely	
12		application for renewal of his license and his expiration was pended awaiting the	
13		outcome of this investigation. During all relevant times, Cota was employed by	
14		the Woodburn School District (WSD).	
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16	2.	On December 20, 2017, the Commission received a report from the WSD	
17		indicating Cota may have committed an act of gross neglect of duty and/or gross	
18		unfitness. Specifically, unprofessional interactions with $coworker(s) / WSD$	
19		employees in violation of sexual harassment policies.	
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21	3.	Investigation determined that on September 28, 2017, employee GS reported to	
22		school officials that she had been sexually harassed by Cota on multiple	
23		occasions. The described harassment included inappropriate and unwanted	
24		comments and emails associated with her appearance, clothing, and her exposed,	
25		bare shoulders. GS reported that she felt uncomfortable around Cota and avoided	
26		any situations where she might have to be alone with him. The ensuing	
27		investigation resulted in other staff members coming forward and stating they	
28		had witnessed some of these behaviors described by GS, and several staff	
29		members reported Cota had harassed them in a similar manner. These	
30		complaints included Cota invading their personal space, asking inappropriate	
31		questions, physically touching them, inappropriate comments and unwanted $/$	
32		inappropriate emails. WSD determined that Cota's conduct violated district	
33		policy on sexual harassment.	
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1	IT IS SO STIPULATED:	
2 3	Mas Jainthe	
4	Alvin B. Cota	
5	TOR	
6	Int & Canonsy	
7	Trent Danowski, Deputy Director	

**Teacher Standards and Practices Commission** 

/11e/2022 Date 06/23/2020

## **CONCLUSION OF LAW**

11 The conduct described in section two (2) and three (3) above constitutes gross 12 neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(1) (Recognize the worth and dignity of all persons and 13 14 respect for each individual), OAR 584-020-0010(5) (Use professional judgment), OAR 584-020-0025(2)(e) (Using district lawful and reasonable rules and regulations), OAR 15 16 584-020-0030(2)(b) (Skill in communicating with administrators, students, staff, 17 parents, and other patrons); and OAR 584-020-0040(4)(l) (Sexual harassment). 18

19 The Commission's authority to impose discipline in this matter is based upon 20 ORS 342.175.

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## ORDER

23 The Commission adopts and incorporates herein the above findings of fact and conclusions of law, and based thereon, imposes a thirty (30) day suspension upon Cota's 24 25 Oregon educator license as follows:

26 Alvin B. Cota's Oregon educator license is hereby suspended for thirty (30) days 27 following the adoption of this order.

28 Furthermore, the Commission imposes a one (1) year period of probation upon Cota to commence upon reinstatement of his Oregon educator license and subject to the 29 30 following terms and conditions of probation:

32 1. Cota shall comply with the Standards for Competent and Ethical 33 Performance of Oregon Educators under Oregon Administrative Rules 34 Chapter 584, Division 020.

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1	2. Cota must provide proof of successful completion of a Commission		
2	approved Sexual Harassment training class/course to be completed		
3	during the period of probation.		
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5	Violation of any term or condition of probation shall constitute an independent basis for		
6	the Commission to revoke Cota's Oregon educator license or otherwise impose		
7	discipline, after first providing Cota with notice and opportunity for hearing		
8	77 June tok		
9	Issued and dated this 23 day of May; 2020.		
10	TEACHER STANDARDS AND PRACTICES COMMISSION		
11	STATE OF OREGON		
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13	By the and the second s		
14	Dr. Anthony Rosilez, Executive Director		