## 1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON 3 In the Matter of the Teaching License of STIPULATION OF FACTS, AND 4 ORDER OF SUSPENSION HARVEY J. SANTOS 5 6 7 On May 19, 1998, the Teacher Standards and Practices Commission (Commission) 8 entered into a stipulated settlement and order or probation with Harvey J. Santos. The stipulation 9 contained findings that Mr. Santos had struck a student on the back of the head with his hand during the week of December 16, 1996; that Mr. Santos had struck a student with his hand in the 10 midsection on about January 8, 1997, and had been convicted of assault in the fourth degree in 11 Klamath County District Court as a result of the incident; and that Mr. Santos' actions violated 12 13 the policy of his employing district concerning corporal punishment. Under the May 19, 1998 stipulation and order, the Commission issued a public reprimand 14 and placed Mr. Santos on probation for a period of one year with the conditions that Mr. Santos 15 conduct himself as a law-abiding citizen and comply with standards of competent and ethical 16 17 performance of Oregon educators. 18 On October 13, 1998, the Commission provided notice to Mr. Santos that the Commission had received information that Santos had violated terms of his probation. 19 20 Mr. Santos requested a hearing in response to the notice. 21 /// /// 22 /// 23

Page 1 - STIPULATION OF FACTS, AND ORDER OF SUSPENSION

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Department of Justice
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1	After a review of the matters alleged, Mr. Santos and the Commission have agreed that			
2	their respective interests, together with the public interest, are best served by a stipulation to			
3	certain facts and the imposition of a period of suspension. This agreement sets forth the facts			
4	upon which the parties have agreed, the sanction to be imposed, and the Commission's order.			
5	STIPULATED FACTS			
6	Mr. Santos and the Commission stipulate to the following facts:			
7	1. Mr. Santos holds a standard teaching license with an endorsement in technology			
8	education.			
9	2. Mr. Santos has been employed as a teacher with the Klamath County School			
10	District since 1980. He resigned his position with the district effective February 25, 1999.			
11	3. Mr. Santos was placed on probation by the Commission in May 1998.			
12	4. On September 24, 1998, Mr. Santos grabbed a student by the lip with his hand in			
13	violation of his employer's directive and in violation of the district's corporal punishment policy.			
14	5. On September 24 or September 25, 1998, Mr. Santos used an inappropriate and			
15	obscene word in his classroom when dealing with this student.			
16	6. Mr. Santos has been under treatment for depression and anger management both			
17	before and since the incidents of September 24 or September 25, 1998.			
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1	This stipulation and proposed order are contingent on approval by the full Commission.			
2	If the Commission does not approve this stipulation and proposed order as written, any waiver of			
3	rights by Mr. Santos is revoked. The statements contained in this stipulation may not be used by			
4	Mr. Santos or the Commission for any reason, should the Commission fail to approve this			
5	stipulation and proposed order.			
6 7 8	Harvey J. Santos Date			
9	Danifly 4 3/15/99			
10	David V. Myton Executive Director			
11	Teacher Standards and Practices Commission			
12	CONCLUSION OF LAW			
13	Mr. Santos' conduct as described above constitutes gross neglect of duty under OAR			
14	584-020-0040(4)(d) and is a violation of the conditions of his probation.			
15	ORDER			
16	The Commission suspends the Oregon teaching license of Harvey J. Santos for a period			
17	beginning with the date of this order through July 31, 1999.			
18	At the end of the period of suspension, Mr. Santos' teaching license shall be reinstated if he			
19	provides written evidence to the Commission from his treatment provider that he has continued			
20	treatment for mental health problems as recommended by the treatment provider and that in the			
21	opinion of the treatment provider Mr. Santos can resume his teaching responsibilities without engaging			
22	in corporal punishment or inappropriate physical contact with students. Upon reinstatement,			
23	Mr. Santos shall remain on probation for a period of two years subject to the following conditions:			

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1	1.	Mr. Santos shall continue with treatment as recommended by his treatment		
2	provider.			
3	2.	Mr. Santos shall not have physical contact with any student for purposes of		
4	discipline, restraint, rebuke, physical search or investigation of misconduct.			
5	3.	Mr. Santos shall conduct himself as a law abiding citizen and shall comply with		
6	all standards of Competent and Ethical Performance of Oregon Educators under OAR 584			
7	Division 20.			
8	4.	Mr. Santos shall provide information as requested by the Commission to verify		
9	that he has co	omplied with conditions of probation, including a written statement of satisfactory		
10	performance	by any employing district.		
11	DAT	ED this /5 day of March 1999.		
12		TEACHER STANDARDS AND PRACTICES COMMISSION		
13		Shufon		
14		David V. Myton, Executive Director		
15	Approved as	to form:		
16	1/4 O	Kople Mark 8, 1999		
17	Henry J. Kap	_ /		
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