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ULTIMATE FINDINGS OF FACT

Harvey J. Santos violated OAR 584-020-0040 by striking students RB and MB in December 1996 and January 1997 respectively in violation of the Klamath County SD policy on corporal punishment. Harvey J. Santos was convicted of Assault IV in Klamath County District Court as a result of the incident in January 1997.

CONCLUSIONS OF LAW

Under ORS 342.175 use of unreasonable physical force or violating a school district policy on corporal punishment is grounds for a finding of gross neglect of duty under OAR 584-020-0040.

ORDER

The Commission imposes a public reprimand on Harvey J. Santos. This Order constitutes the reprimand. Furthermore, the Commission imposes a one-year probation to commence with the signing of this order. During this probation, Mr. Santos shall:

- 1. Conduct himself as a law-abiding citizen.
- 2. Comply with Standards of Competent and Ethical Performance for Oregon Educators.

Violation of any terms of the probation shall constitute a basis for the Commission to revoke Mr. Santos' Teaching License, after first providing to Mr. Santos notice and opportunity for hearing.

Dated this 19 day of May, 1998

TEACHER STANDARDS AND PRACTICES COMMISSION

By David V. Myton
David V. Myton, Executive Director

DVM/cs

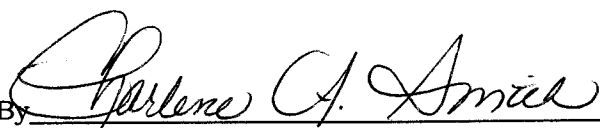
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CERTIFICATE OF MAILING

I hereby certify that I served the foregoing order by mailing a true copy thereof certified by me as such by U. S. First Class Mail and U.S. Certified Mail with Return Receipt Requested to:

Hank Kaplan
Bennett Hartman Reynolds & Wisner
851 SW 6th, Suite 1600

Dated this 19th day of May, 1998

By 
Charlene A. Smith
Executive Assistant to the Commission