

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION

2 OF THE STATE OF OREGON

RECEIVED  
FEB 11 2004

3 In the Matter of the  
Teaching License of

Case No. 112552

Teacher Standards &  
Practices Commission

4 ROBERT LESLIE JONES  
5

STIPULATION OF FACTS, PUBLIC  
REPRIMAND AND ORDER OF PROBATION

6 On March 21, 2003, the Superintendent of the Baker School District sent a report to the  
7 Teacher Standards and Practices (Commission) stating that Robert Leslie Jones may have  
8 violated Commission standards in connection with his interactions with certain employees of the  
9 district.

10 Following a preliminary investigation, the Commission issued a Notice of Opportunity  
11 for hearing to Mr. Jones on October 14, 2003. Mr. Jones requested a hearing.

12 After a review of the matters alleged, Mr. Jones and the Commission agreed that their  
13 respective interests together with the public interest, are best served by a stipulation to certain  
14 facts and the imposition of a public reprimand and order of probation.

15 This Order sets forth the facts upon which the parties have agreed and the sanction to be  
16 imposed. In entering into this Stipulation, Mr. Jones waives the right to a hearing to contest the  
17 findings of fact, conclusions of law and orders set forth below.

18 This Stipulated Order is contingent upon approval and adoption by the full Commission.  
19 If the Commission does not adopt this Order, neither Mr. Jones nor the Commission are bound  
20 by any stipulations or other matters contained herein, and Mr. Jones shall retain all rights to a  
21 hearing to contest the allegations in the Notice.

22

23

1 **STIPULATION OF FACTS**

2 Mr. Jones and the Commission stipulate to the following facts:

3 1. Mr. Jones holds a Basic Oregon Teaching License with a basic handicapped  
4 learner endorsement. He has been employed as a special education teacher with the Baker School  
5 District since 1998.

6 2. During the period from approximately September 2001 until March 2003, Mr.  
7 Jones on several occasions made sexually inappropriate comments, touched and massaged the  
8 shoulders, and patted the buttocks of a female educational assistant who was assigned to his  
9 classroom. Mr. Jones's conduct was unsolicited and unwelcome and had the effect of creating an  
10 intimidating, hostile and offensive work environment.


11 3. From September 2000 until March 2003, Mr. Jones on various occasions made  
12 sexually inappropriate comments, touched and massaged the shoulders and patted the buttocks of  
13 a female secretary who was assigned to the elementary school where Mr. Jones was teaching.  
14 Mr. Jones's conduct was unsolicited and unwelcome and had the effect of creating an  
15 intimidating, hostile and offensive work environment.

16 4. After receiving complaints from co-workers, the school district conducted an  
17 investigation of Mr. Jones's conduct. It concluded that Mr. Jones had violated district policy on  
18 sexual harassment and professional standards of the Commission. The district suspended Mr.  
19 Jones for five days without pay, placed him on a plan of assistance, required Mr. Jones to  
20 undergo a psychological evaluation and training in the areas of professional boundaries with co-  
21 workers and students, and transferred Mr. Jones to another school within the district. The district  
22 also placed Mr. Jones on an "intensive assistance plan" which required Mr. Jones not to be alone  
23 with females in a room unless students or another adult is present, not to make comments to co-


1 workers about their appearance or other comments of a personal nature, and not to have physical  
2 contact with co-workers.

3 5. Mr. Jones underwent a psychological evaluation by Dwight D. Mowry, Ph.D. The  
4 evaluation was followed by counseling and training in the area of professional boundaries. Dr.  
5 Mowry concluded that Mr. Jones understands and can be expected to observe appropriate  
6 personal and professional boundaries with co-workers and students in the future.

7 6. The Commission has received a letter from Baker School District Superintendent,  
8 Don Ulrey. Mr. Ulrey stated that the district supports Mr. Jones and does not believe that further  
9 punishment is necessary to impress upon him the gravity of the situation and the importance of  
10 not repeating sexually harassing behavior. Mr. Ulrey stated that Mr. Jones had complied with all  
11 directives of the school district and expressed the opinion that Mr. Jones had committed himself  
12 to learning from the experience and becoming a better teacher and co-worker. Mr. Ulrey urged  
13 on behalf of the district that the Commission consider a sanction which does not include a  
14 suspension of Mr. Jones's teaching license.

15  
16   
Robert Leslie Jones

2-4-04  
Date

17  
18   
19 Victoria Chamberlain, Executive Director  
Teacher Standards and Practices Commission

2-20-04  
Date

1

2

**CONCLUSIONS OF LAW**

3

1. Mr. Jones engaged in sexually inappropriate behavior in his interactions with a

4

female secretary at the school where he was teaching. This conduct constitutes gross neglect of

5

duty in violation of OAR 584-020-0040(4)(I).

6

2. Mr. Jones engaged in socially inappropriate behavior in his interactions with a

7

female educational assistant who was assigned to his classroom. This conduct constitutes gross

8

neglect of duty in violation of OAR 585-020-0040(4)(I).

9

**DISCUSSION**

10

The Commission considers the conduct of Mr. Jones to be serious and normally a period

11

of suspension would be appropriate. However, the Commission also considers these factors:

12

Mr. Jones has received a brief suspension without pay from his employing school district; when

13

confronted with the complaint, Mr. Jones acknowledged his misconduct; Mr. Jones has

14

expressed remorse; Mr. Jones has fully complied with the assistance program imposed by the

15

district and has attended all required counseling; the school district has expressed support for Mr.

16

Jones and has urged the Commission to impose a sanction that would not require removal from

17

the classroom. Based on these considerations, the Commission will impose a public reprimand

18

and lengthy period of probation.

19

**ORDER**

20

The Commission imposes a public reprimand on Robert Leslie Jones, and this Order

21

shall serve as the public reprimand.

22

///

23

///

1 The Commission places Mr. Jones on probation for a period of four years from the date  
2 of this Order. During the period of probation, Mr. Jones shall not engage in sexually  
3 inappropriate conduct with co-workers or students and shall comply with all Standards for  
4 Competent and Ethical Performance of Oregon Educators under OAR 584 Division 020.

5 IT IS SO ORDERED this 5 day of March, 2004

6 TEACHER STANDARDS AND PRACTICES COMMISSION

7  
8 By:   
Victoria Chamberlain, Executive Director

9 Approved as to form:

10  2/07/04  
11 \_\_\_\_\_  
Ralph Wiser  
12 Attorney for Robert Leslie Jones