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BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION  
OF THE STATE OF OREGON

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In the Matter of the )  
Educator License of )  
AARON MCGINN ) STIPULATION OF FACTS AND  
FINAL ORDER OF SUSPENSION  
AND PROBATION

On or about May 6, 2016, the Teacher Standards and Practices Commission (Commission) received a report from the Sheridan School District, indicating possible misconduct related to Aaron McGinn's (McGinn) professional boundaries.

After review of the matters alleged, McGinn 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 thirty (30) day suspension of McGinn's Oregon educator license, followed by a period of probation upon reinstatement of McGinn's Oregon educator license.

This document sets forth the facts upon which the parties have agreed and the stipulated sanction to be imposed. McGinn stipulates that there is sufficient evidence in the Commission's files and records to support the findings of fact, conclusions of law, and order set forth below.

By signing below, McGinn 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 Suspension and Probation (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 McGinn 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 promises 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.

**STIPULATION OF FACTS**

- 1) The Commission has licensed McGinn since July 13, 2012. McGinn holds a Preliminary Teaching License, with endorsements in Advanced Mathematics (PK -12) and English Language Arts (PK-

1 12), valid from December 22, 2015, through December 21, 2018. During all relevant times, McGinn  
2 was employed by the Sheridan School District.

3  
4 2) On May 6, 2016, the Commission received a report from the Sheridan School District advising that  
5 McGinn had been investigated for conduct that may be considered gross neglect of duty or gross  
6 unfitness. The report alleges McGinn engaged in conduct that invaded teacher / student  
7 boundaries in violation of local policy.

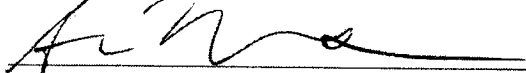
8 On or about October 30, 2015, the Sheridan School District received information from student KE  
9 alleging McGinn's conduct had made her uncomfortable, and she was requesting a transfer out of  
10 McGinn's class. In the course of investigating the report of KE, district investigators learned that  
11 student JL also felt that McGinn had engaged in conduct that made her uncomfortable. Local law  
12 enforcement reviewed the allegations and determined that no criminal conduct had occurred.

13  
14 3) Investigation showed that in his efforts to establish rapport with students, McGinn engaged in  
15 behavior in a manner that felt more like trying to be "friends" than a teacher. This included  
16 jokingly pretending to trip over students and or blocking them in the class, discussing unduly  
17 personal information with students, exchanging notes, and occasionally purchasing something for  
18 a student. KE and JL also reported that McGinn sat or stood too close when assisting in math, not  
19 respecting their personal space.

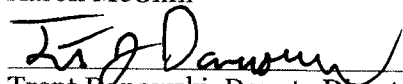
20 Investigation also established that McGinn exercised poor judgment by not involving his  
21 administration. When KE told McGinn that he made her feel uncomfortable, McGinn apologized  
22 stating that he had absolutely no intent on doing so, but did not report that interaction to his  
23 supervisor. When McGinn became aware that JL may have had a crush on him, based on his own  
24 observations and a statement from a colleague, he did not report that information to his  
25 administration. On April 29, 2016, McGinn resigned his employment with the Sheridan School  
26 District.

27  
28 4) Throughout the investigation, McGinn expressed surprise and regret that his conduct caused any  
29 student to be uncomfortable, as well as a commitment to maintain clear student/teacher  
30 boundaries.

31 IT IS SO STIPULATED:

32   
33 \_\_\_\_\_  
Aaron McGinn

3.19.18  
\_\_\_\_\_  
Date

34   
35 \_\_\_\_\_  
Trent Danowski, Deputy Director  
36 Teacher Standards and Practices Commission

4/12/2018  
\_\_\_\_\_  
Date

1 **CONCLUSIONS OF LAW**

2 The above described conduct that Aaron McGinn engaged in constitutes gross neglect of duty  
3 in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5)  
4 (*Use professional judgment*), OAR 584-020-0025(2)(e) (*Using district lawful and reasonable rules*  
5 *and regulations*), OAR 584-020-0030(2)(b) (*Skill in communicating with administrators, students,*  
6 *staff, parents, and other patrons*); OAR 584-020-0040(4)(o) as it incorporates, OAR 584-020-  
7 0035(1)(c)(C)(*Reporting to the educator's supervisor if the educator has reason to believe a student*  
8 *is or may be becoming romantically attached to the educator*); and OAR 584-020-0035(1)(c)(D)  
9 (*Honoring appropriate adult boundaries with students in conduct and conversations at all times*).

10  
11 The Commission's authority to impose discipline in this matter is based upon ORS 342.175.

12 **ORDER**

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14 The Commission hereby adopts and incorporates herein the above stipulation of facts,  
15 conclusions of law, and based thereon hereby imposes a thirty (30) day suspension upon McGinn's  
16 Oregon educator license as follows:

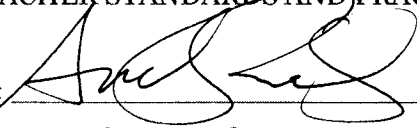
17 Aaron McGinn's Oregon educator license is hereby suspended for thirty (30) days following  
18 the adoption of this order.

19 Furthermore, the Commission imposes a period of two (2) years of probation upon McGinn's  
20 licensure to commence from the date this order is signed by the Commission and subject to the  
21 following conditions:

- 22 1. McGinn shall comply with the Standards for Competent and Ethical Performance of Oregon  
23 Educators under Oregon Administrative Rules Chapter 584, Division 020.  
24 2. McGinn will complete a Commission approved teacher / student boundaries training and  
25 submit proof of same within the first year of his probation period.  
26

27 IT IS SO ORDERED this 12 day of June, 2018.

28 TEACHER STANDARDS AND PRACTICES COMMISSION

29  
30 By:  \_\_\_\_\_

31 Dr. Anthony Rosilez, Executive Director