1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON 3 In the Matter of the) STIPULATION OF FACTS AND 4 **Educator License of**) FINAL ORDER OF SUSPENSION 5 ANDREW C. JENSEN) OF RIGHT TO APPY AND PROBATION 6 On September 30, 2016, the Teacher Standards and Practices Commission 7 (Commission) received a report from the Philomath School District (PSD) indicating that 8 Andrew Jensen (Jensen) may have violated professional standards. 9 After review of the matters alleged, Jensen and the Commission agree that their 10 respective interests, together with the public interest, are best served by a stipulation to certain 11 facts, the imposition of a sixty (60) day suspension of Jensen's right to apply for an Oregon 12 educator license, and a three (3) year period of probation. 13 This document sets forth the facts upon which the parties have agreed and the stipulated 14 sanction to be imposed. Jensen stipulates that there is sufficient evidence in the Commission's 15 files and records to support the findings of fact, conclusions of law, and order set forth below. 16 By signing below, Jensen acknowledges, understands, stipulates, and agrees to the 17 following: (i) he has been fully advised of his rights to notice and a hearing to contest the 18 findings of fact, conclusions of law, and order set forth below, and fully and finally waives all 19 such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final 20 Order of Suspension and Probation (Stipulation and Final Order); (ii) this Stipulation and Final 21 Order is a public document and disclosed to the public upon request by the Commission; (iii) 22 this Stipulation and Final Order is contingent upon and subject to approval and adoption by the 23 Commission. If the Commission does not approve and adopt this Stipulation and Final Order, 24 then neither Jensen nor the Commission are bound by the terms herein; (iv) he has fully read 25 this Stipulation and Final Order, and understands it completely; (v) he voluntarily, without any 26 force or duress, enters into this Stipulation and Final Order and consents to issuance and entry 27 of the Stipulated Final Order below; (vi) he states that no promises or representation has been 28 made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an 29 attorney regarding this Stipulation and Final Order and has been fully advised with regard to his 30 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.

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1) The Commission has licensed Jensen since September 26, 2014. Jensen previously held a Restricted Teaching License, with an endorsement in Social Studies (K-12), valid from September 25, 2015, through June 30, 2016. During all relevant times, Jensen was employed by the Philomath School District as a football coach and the Alsea School District as a teacher for the 2014-2015 and 2015-2016 school years.

2) On September 30, 2016, the Commission received a report from the Philomath School District (PSD) alleging Jensen had engaged in conduct that may be considered gross neglect of duty and/or gross unfitness. The report alleged Jensen failed to properly supervise student athletes while attending a four day, overnight football camp.

3) Investigation determined that between July 9, 2016 and July 13, 2016, Jensen was coaching / chaperoning approximately 30-35 student athletes of the PSD Junior Varsity (JV) football team attending football camp at Camp Rilea, Oregon. On or about the third day of camp, staff noticed bruising on the neck of one of the JV player's. Investigation indicated that several upperclassmen had forcefully given the player "hickies" on his neck as a form of initiation or hazing. Upon the team's return to Philomath, it was reported that other students had been hazed and assaulted during their stay at camp. This included upperclassmen initiating younger players by striking them in the genitals, forcefully putting their hand or finger(s) into the student's butt cheeks and / or rectums (over their clothing), and students being held down by force and given hickies.

Witnesses reported that Jensen had been present at the time many of the assaults and hazing incidents occurred, which reportedly took place in the barracks area where Jensen had been bunked. Students reported Jensen was present in the area and clearly heard the conflicts as they occurred, but Jensen was reportedly engrossed in his cell phone and never investigated the disturbances nor responded to the commotion and yelling. Other coaches and chaperones were also present during camp. Jensen reports that at times these other staff members were present during the described commotion and yelling, even in closer proximity, yet they too did not seek help or bring the conduct to Jensen's attention. Older, more experienced staff were present at times and did not express any concern for the student conduct. Many of these other coaches and chaperones are not licensed educators and are not within the jurisdiction of the Commission. Any misconduct by others has been

1 addressed by other means, including criminal investigations. These assaults occurred 2 repeatedly throughout the four day stay at camp. One of the offending students reported he 3 could clearly see Jensen sitting on his bunk playing with his phone while he (student) 4 assaulted another student who was yelling and physically resisting the assault. 5 The student misconduct was reported to the local law enforcement, and several students 6 7 were charged with criminal conduct (Harassment and Assault). In addition, one of the other 8 involved coaches was charged with Criminal Mistreatment for his lack of supervision. No 9 criminal charges were filed against Jensen. PSD recommended the termination of Jensen's 10 employment as JV Football Coach for related policy violations. On September 16, 2016, 11 Jensen resigned his employment as football coach. 12 13 IT IS SO STIPULATED: 14 15 Andrew Jensen 16 17 Trent Danowski, Deputy Director Date 18 Teacher Standards and Practices Commission 19 20 **CONCLUSIONS OF LAW** 21 Andrew Jensen's conduct as described above constitutes gross neglect of duty in 22 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-23 0010(1) (Recognize the worth and dignity of all persons and respect for each individual), OAR 24 584-020-0010(5) (Use professional judgment), OAR 584-020-0020(2)(d)(Skill in the 25 supervision of students), and OAR 584-020-0025(2)(e) (Using district lawful and reasonable 26 rules and regulations). 27 28 The Commission's authority to impose discipline in this matter is based upon ORS 29 342.175. 30 ORDER 31 The Commission hereby adopts and incorporates herein the above stipulation of facts, 32 conclusions of law, and based thereon hereby imposes a sixty (60) day suspension upon 33 Jensen's right to apply for an Oregon educator license as follows:

Page 3 STIPULATION OF FACTS AND FINAL ORDER OF SUSPENSION OF RIGHT TO APPLY AND PROBATION - ANDREW C. JENSEN

1	Andrew Jensen's right to apply for an Oregon educator license is suspended for sixty						
2	(60) days following the adoption of this order.						
3	Furthermore, the Commission imposes a three (3) year period of probation upon Jensen						
4	to commence upon reinstatement of his Oregon educator license and subject to the following						
5	terms and conditions of probation:						
6	1. Jensen shall comply with the Standards for Competent and Ethical Performance						
7	of Oregon Educators under Oregon Administrative Rules Chapter 584, Division						
8	020.						
9	2. Jensen will successfully complete training in the area of mandatory reporting.						
10	(Jensen met this requirement on December 14, 2018)						
11	Violation of any term or condition of probation shall constitute an independent basis for the						
12	Commission to revoke Jensen's Oregon educator license or otherwise impose discipline, after						
13	first providing Jensen with notice and opportunity for hearing.						
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16	IT IS SO ORDERED this day of February, 2019.						
17	TEACHER STANDARDS AND PRACTICES COMMISSION						
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19 20	By: Dr. Anthony Rosilez, Executive Director						
	Di. Alithony Roshez, Executive Director						