

1 Final Order below; (vi) he states that no promises or representation have been made to induce
2 him to sign this Stipulation and Final Order; and (vii) he has consulted with an attorney
3 regarding this Stipulation and Final Order and has been fully advised with regard to his rights
4 thereto, or waives any and all rights to consult with an attorney prior to entering into this
5 Stipulation and Final Order and issuance and entry of the Stipulated Final Order below.

6 **STIPULATION OF FACTS**

7 1. The Commission first licensed Mr. Shoff on August 27, 1980. Mr. Shoff's current
8 Standard Teaching License, with an endorsement in Basic Physical Education and Standard
9 Health Education for grades 5-12 is valid through August 18, 2013.

10 2. Mr. Shoff was employed as a high school teacher in the Lake Oswego School District
11 during all relevant times herein.

12 3. On or about June 10, 2009, Mr. Shoff, in response to being hit in the head by a ball
13 thrown by a student during his physical education class, disciplined the male student he thought
14 had thrown the ball by making him do push-ups. While the student was doing push-ups, Mr.
15 Shoff placed his foot on the student's back and pushed the student down to make him do the
16 push-ups correctly. As the student completed the push-ups Mr. Shoff hit the student on the
17 back of his head with the ball.

18 **IT IS SO STIPULATED AND AGREED TO:**

19 Mark S. Shoff
20 Mark S. Shoff

10/22/2010
Date

21 Victoria Chamberlain
22 Victoria Chamberlain, Executive Director
23 Teacher Standards and Practices Commission
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11-5-10
Date

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CONCLUSIONS OF LAW

Mr. Shoff's conduct described in paragraph 3 above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates 584-020-0010(5)(a) (use of professional judgment); and OAR 584-020-0040(4)(d) (Unreasonable physical force against a student).

The Commission has the authority to impose discipline in this matter under ORS 342.120 through 342.430 and OAR Chapter 584.

FINAL ORDER

The Commission adopts and incorporates herein the above finding of facts and conclusions of law, and based thereon, imposes a Public Reprimand on Mark S. Shoff. This Order shall serve as the Public Reprimand.

Issued and dated this 5th day of ~~October~~^{November}, 2010.

**TEACHER STANDARDS AND PRACTICES COMMISSION
STATE OF OREGON**

By *Victoria Chamberlain*
Victoria Chamberlain, Executive Director