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BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION

JUN 02 2016

OF THE STATE OF OREGON

In the Matter of the	)	STIPULATION OF FACTS AND	Teacher Standards &
Educator License of	)	FINAL ORDER OF SUSPENSION	Practices Commission
JEFFREY ALAN BARKER	)	AND PROBATION	

On or about December 3, 2013, the Teacher Standards and Practices Commission (Commission) received a report from the McMinnville School District alleging that Jeffrey Alan Barker (Barker) had violated Professional Standards and Practices.

After review of the matters alleged, Barker 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 sixty (60) day suspension of his educator license, and a four (4) year period of probation.

This document sets forth the facts upon which the parties have agreed and the stipulated sanction to be imposed. Barker 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, Barker 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 Barker 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

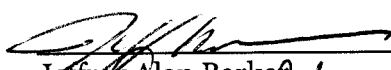
with regard to his rights thereto, or waives any and all rights to consult with an attorney prior to entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order below.

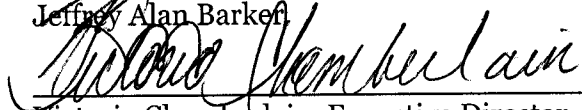
### STIPULATION OF FACTS

- 1) Barker has been licensed by the Commission since January 23, 2008. Barker holds an Initial Teaching II License with a Special Education (ML/HS) endorsement, valid from October 4, 2014 until October 3, 2017. During the time in question, Barker was employed by McMinnville School District but Barker has been employed by the Woodburn School District since 2013. Barker received a Letter of Informal Reapproval in November of 2012.
- 2) On December 2, 2013, the Commission received a report from the McMinnville School District indicating Barker may have committed acts that constitute misconduct requiring a report to the Commission. The district reported that Barker's conduct may violate professional standards.
- 3) Investigation determined that Barker's IEP paperwork for a student was knowingly inaccurate; however, the inaccuracy only had the effect of continuing services for the student. Barker expressed that the special education caseload at that time was over burdensome, leading to high levels of stress and bad judgment, and that next time he would ask for more assistance sooner.

///

IT IS SO STIPULATED:

  
\_\_\_\_\_  
Jeffrey Alan Barker

  
\_\_\_\_\_  
Victoria Chamberlain, Executive Director  
Teacher Standards and Practices Commission

5/30/14  
\_\_\_\_\_  
Date

6-8-16  
\_\_\_\_\_  
Date

### CONCLUSIONS OF LAW

Jeffrey Alan Barker's conduct described above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0025(2)(c) (*Using and maintaining student records as*

1 required by federal and state law and district policies and procedures), and OAR 584-020-  
2 0025(2)(e)( Using district lawful and reasonable rules and regulations).

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

4 **ORDER**

5 The Commission hereby adopts and incorporates herein the above stipulation of facts,  
6 conclusions of law, and based thereon hereby imposes a sixty (60) day suspension upon Barker's  
7 Educator License as follows:

8 Barker's Educator License is hereby suspended for 60 days following the adoption of this  
9 order.

10 Furthermore, the Commission imposes a period of four (4) years of probation upon Barker to  
11 commence upon reinstatement of his license and subject to the following terms and conditions of  
12 probation:

- 13 1. Barker shall comply with the Standards for Competent and Ethical Performance of Oregon  
14 Educators under Oregon Administrative Rules Chapter 584, Division 020.  
15 Violation of any term or condition of probation shall constitute an independent basis for the  
16 Commission to revoke Barker's educator license or otherwise impose discipline, after first providing  
17 Barker with notice and opportunity for hearing.

18  
19  
20 IT IS SO ORDERED this 20<sup>th</sup> day of June, 2016.

21 TEACHER STANDARDS AND PRACTICES COMMISSION

22  
23 By: Monica Beane  
24 Monica Beane, Executive Director

CERTIFICATE OF MAILING

I HEREBY CERTIFY that I served the foregoing Stipulation of Facts and Final Order of Suspension and Probation, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail – Return Receipt Requested, addressed to:

Jeffery Alan Barker  
14950 SW Smock St  
Sherwood, OR 97140-7702

DATED this 25<sup>th</sup> day of August, 2016.

By: Patty Sheldon  
Patty Sheldon  
Investigative Assistant

Certificate of Mailing – Jeffery Alan Barker

Data Classification Level: 1 – Published  
DO: Sheldon