## 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 PUBLIC 5 KENNETH R. BALL REPRIMAND 7 On December 2, 2016, the Teacher Standards and Practices Commission 8 (Commission) received reports from the Philomath School District (PSD), alleging 9 professional misconduct on the part of licensed educator, Kenneth Ball (Ball). 10 After review of the matters alleged, Ball and the Commission agree that their 11 respective interests, together with the public interest, are best served by a stipulation to 12 certain facts and the imposition of a Public Reprimand. 13 This Order sets forth the facts upon which the parties have agreed and the 14 sanction to be imposed. Ball stipulates that there are sufficient facts contained in the 15 Commission's files and records to support the findings of fact and conclusions of law set 16 forth below. In entering into this stipulation, Ball waives the right to a hearing to contest 17 the findings of fact, conclusions of law and order set forth below. 18 By signing below, Ball acknowledges, understands, stipulates, and agrees to the 19 following: (i) he has been fully advised of his rights to notice and a hearing to contest the 20 findings of fact, conclusions of law, and order set forth below, and fully and finally 21 waives all such rights and any rights to appeal or otherwise challenge this Stipulation of 22 Facts and Final Order of Public Reprimand (Stipulation and Final Order); (ii) this 23 Stipulation and Final Order is a public document and disclosed to the public upon 24 request by the Commission; (iii) this Stipulation and Final Order is contingent upon and 25 subject to approval and adoption by the Commission. If the Commission does not 26 approve and adopt this Stipulation and Final Order, then neither Ball nor the 27 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 promise 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.

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## STIPULATION OF FACTS

- 1. The Commission has licensed Ball since August 25, 1977. Ball previously held a Continuing Administrator License, with an endorsement in Administrator (ALL LVL), valid from January 2, 2012 through January 1, 2017. Ball also held a Standard Teaching License, with endorsements in Standard Health Education (018) and Standard Physical Education (018), valid from May 22, 2002 through January 1, 2008. During all relevant times, Ball was employed by the PSD as a high school principal.
- 2. On December 2, 2016, the Commission received a report from the PSD alleging that over the span of multiple years, Ball had engaged in conduct that may be considered gross neglect of duty and/or gross unfitness. The report alleged Ball failed to properly protect students from harm, failed to properly investigate matters of student misconduct, failed to implement appropriate and consistent disciplinary consequences for students, and failed to make proper mandatory reports of suspected child abuse.
  - 3. In July 2016, student misconduct occurred during the July 9 through July 13, 2016, football camp held at Camp Rilea, Oregon. In the process of conducting this investigation, a history of student hazing and bullying incidents dating back several years was revealed. Although Ball had been retired from employment with PSD prior to the Camp Rilea incident, the past incidents occurred while Ball was a principal at Philomath High School. Review of the past incidents and Ball's handling of the matters led to the conclusion that Mr. Ball failed to ensure that matters of student misconduct were adequately investigated and responded to with appropriate and consistent disciplinary consequences for students, contributing to a culture of hazing and harassment at the school in violation of PSD policies.

IT IS SO STIPULATED:

Kenneth Ball

Trent Danowski, Deputy Director

Teacher Standards and Practices Commission

July 12, 2019

Date

7/16/2019

Date

1	CONCLUSION OF LAW
2	The conduct described in section two (2) and three (3)(a-c) above constitutes
3	gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it
4	incorporates OAR 584-020-0010(5) (Use professional judgment), and OAR 584-020-
5	0025(3)(a) (The competent administrator demonstrates: Leadership skills in managing
6	the school, its students, staff, and programs as required by lawful and reasonable
7	district policies, rules, and regulations, state and federal laws and regulations, and
8	other programs as assigned, and assures that staff is informed of these requirements);
9	OAR $584-020-0030(3)(d)$ (Skill in reconciling conflict).
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11	The Commission's authority to impose discipline in this matter is based upon
12	ORS 342.175.
13	ORDER
14	The Commission adopts and incorporates herein the above findings of fact and
15	conclusions of law, and based thereon, imposes a Public Reprimand on Kenneth Ball's
16	Oregon educator license.
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19	Issued and dated this $\frac{12}{2}$ day of August, 2019.
20	TEACHER STANDARDS AND PRACTICES COMMISSION
21	STATE OF OREGON
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23	By A
24	Dr. Anthony Rosilez, Executive Director