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- 2 3. Investigation determined that on December 13, 2017, Diehl contacted two students (SS and
- 3 RT) who had been reportedly bullying another student earlier that day. When the students
- 4 approached Diehl, Diehl stated “I guess it’s about time to crack some skulls”. Student RT
- 5 “smirked” at Diehl, and in response, Diehl grabbed him by the shoulders. While Diehl denies
- 6 doing so, RT and several witnesses reported that Diehl also shook RT while grabbing him. A
- 7 law enforcement investigation was conducted and Diehl was cited / charged with the crime
- 8 “Physical Harassment” ORS 166.065, a class B Misdemeanor.
- 9
- 10 4. On January 17, 2018, Diehl resigned his employment with the LVCS in lieu of termination for
- 11 policy violations related to Diehl’s conduct with RT. On March 1, 2018, Diehl plead guilty to
- 12 the harassment charge and was sentenced to 24 months of probation. One requirement of
- 13 Diehl’s probation included not being in the presence of unrelated minors.
- 14

15 **CONCLUSIONS OF LAW**

16 Diehl’s conduct described above, constitutes gross neglect of duty in violation of ORS

17 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional*

18 *judgment*), OAR 584-020-0020(2)(d) (*Skill in the supervision of students*), OAR 584-020-

19 0025(2)(e) (*Using district lawful and reasonable rules and regulations*), OAR 584-020-0030(2)(b)

20 (*Skill in communicating with administrators, students, staff, parents, and other patrons*), 584-

21 020-0040(4)(d)(*Unreasonable physical force against students, fellow employees, or visitors to the*

22 *school, except as permitted under ORS 339.250*). The conduct described above also constitutes

23 gross unfitness in violation of ORS 342.175(1)(c); OAR 584-020-0040(5)(c) (*Conviction of violating*

24 *any federal, state, or local law. A conviction includes any final judgment of conviction by a court*

25 *whether as the result of guilty plea, no contest plea or any other means*).

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

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29 **FINAL ORDER**

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31 The Commission hereby suspends Steven M. Diehl’s Oregon educator license for a period of

32 ninety (90) days, to begin upon the date this order is signed and in effect.

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1 In addition, the Commission places Diehl on probation for a period of three years to
2 commence upon Diehl's reinstatement from suspension. This probation period is subject to the
3 following terms and conditions:

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5 1. Diehl shall comply with the Standards for Competent and Ethical Performance of Oregon
6 Educators under Oregon Administrative Rules Chapter 584, Division 020.

7
8 Violation of any term or condition of probation shall constitute an independent basis for
9 the Commission to revoke Diehl's teaching license or otherwise impose discipline, after
10 first providing Diehl with notice and opportunity for hearing.

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12
13 IT IS SO ORDERED THIS 7th day of October, 2019.

14 TEACHER STANDARDS AND PRACTICES COMMISSION

15 By: 
16 Dr. Anthony Rosilez, Executive Director
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22 NOTICE OF APPEAL OR RIGHTS

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24 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE
25 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF
26 THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO
27 THE OREGON COURT OF APPEALS.