


1 **STIPULATION OF FACTS**

2 1. The Commission has licensed Foster since August 13, 2002. Foster’s Professional
3 Teaching License, with an endorsement in Elementary – Multiple Subjects (PK-
4 12), is valid from June 30, 2015, through June 29, 2020. During all relevant
5 times, Foster was employed by the CSD.

6
7 2. On June 15, 2017, the Commission received a complaint from a patron of the CSD
8 alleging Foster had violated professional standards and local policy when Foster
9 physically and roughly interacted with a kindergarten student at recess.
10 Investigation determined that on May 31, 2017, Foster directed a six year old
11 kindergarten student (RH) to stop talking to another student who had been
12 placed in time out during recess. Foster errantly believed RH was being defiant
13 and disrespectful when he failed to comply. In apparent frustration, Foster
14 grabbed RH’s arm and pulled him across the playground, swung him by the arm
15 around a gate, and hurried him by his hand to the office for discipline. Later,
16 when Foster was able to view the video coverage of the event, Foster realized that
17 he had misunderstood what RH had been doing. RH had been distracted by
18 someone blowing bubbles around the fence and time out area and had not
19 intentionally disrespected Foster nor knowingly ignored Foster’s directions.
20 Foster acknowledged he had used more force than was necessary to accomplish
21 the task of getting RH to the office. In the course of the districts investigation,
22 Foster elected to resign his employment with CSD effective June 16, 2017.

23
24
25 IT IS SO STIPULATED:

26 
27 _____
28 Jeffrey W. Foster

6-11-19

Date

29 
30 _____
31 Trent Danowski, Deputy Director
32 Teacher Standards and Practices Commission

7/1/19

Date

1 **CONCLUSION OF LAW**

2 The conduct described above constitutes gross neglect of duty in violation of ORS
3 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(1)
4 (*Recognize the worth and dignity of all persons and respect for each individual*), OAR
5 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0025(2)(e) (*Using*
6 *district lawful and reasonable rules and regulations*); and OAR 584-020-0040(4)(d)
7 (*Unreasonable physical force against students, fellow employees, or visitors to the*
8 *school, except as permitted under ORS 339.250*).
9

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

12 **ORDER**

13 The Commission adopts and incorporates herein the above findings of fact and
14 conclusions of law, and based thereon, imposes a Public Reprimand on Jeffrey Foster's
15 Oregon educator license.

16 Furthermore, the Commission requires Foster to complete Commission approved
17 training related to Student Management or Anger Management and submit proof of
18 completion to Commission staff within twelve months of the signing of this order.
19

20
21 Issued and dated this 12 day of August, 2019.

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

24
25 By  _____

26 Dr. Anthony Rosilez, Executive Director