1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
4 5 6 7 8	In the Matter of the)DEFAULT ORDER OFEducator License of)REVOCATION OFTRACY H. SKOWHEDE)LICENSURE
9	On March 20, 2020, the Teacher Standards and Practices Commission
10	(Commission) issued a Notice of Opportunity for Hearing to Tracy Skowhede
11	(Skowhede) in which the Commission charged him with Gross Neglect of Duty and /or
12	Gross Unfitness. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail
13	Receipt 7018 1830 0001 6178 7459 to the address on file with the Commission. The
14	Notice designated the Commission file as the record for purposes of proving a prima
15	facie case. The Certified Mail receipt was returned to the Commission signed. The
16	regular first class mail was not returned to the Commission and assumed delivered. The
17	Notice of Opportunity of Hearing, dated March 20, 2020, and signed by Anthony
18	Rosilez, Executive Director, stated:
19 20 21 22 23 24 25 26 27 28	"IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING, WITHDRAW YOUR REQUEST FOR HEARING, OR IF YOU FAIL TO APPEAR AT A HEARING, OR NOTIFY THE COMMISSION THAT YOU WILL NOT APPEAR AT HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."
29	Skowhede did not request a hearing. The Commission, therefore, finds Skowhede to be
30	in default and enters the following findings of fact, conclusions of law, and final order,
31	based on the files and records of the Commission concerning this matter.
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33	FINDINGS OF FACT
34	1. Tracy Skowhede has been licensed by the Commission since July 24, 1989.
35	Skowhede's Professional Teaching License, with an endorsement in Advanced
36	Mathematics (PK-12), was valid from May 20, 2016, through May 19, 2021. During
37	all relevant times, Skowhede was employed by Gladstone School District (GSD).
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On October 26, 2017, the Commission received information from GSD indicating
 Skowhede may have committed acts, which constitute gross neglect of duty. GSD
 reported that on or about September 20, 2017, the district had investigated
 allegations of inappropriate interactions with students in violation of teacher /
 student boundaries.

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On February 9, 2018, GSD reported to the Commission additional information
alleging Skowhede had further violated professional standards. Specifically that on
November 29, 2017, Skowhede had been under the influence of intoxicants
(Marijuana / THC), had refused to submit to required substance testing and that
Skowhede had possessed THC in the form of candies / gummies on school property.

13 3. Investigation determined that on or about September 20, 2017, Skowhede made a 14 female student feel uncomfortable when he sat next to her in the cafeteria, took her 15 cell phone away from her in a playful manner, and then repeated her name in a 16 manner that made her feel uncomfortable. School officials also determined that in a reply to students who asked Skowhede if he knew whom P.P. was (initials on a note). 17 18 Skowhede replied something like "I know what a Pee Pee is", or "I have a Pee Pee". 19 One of the students who heard Skowhede's reply was upset by his response and 20 reported Skowhede's inappropriate comment to school officials. As a result, the GSD 21 issued Skowhede a disciplinary letter directing him to remain professional in his 22 interactions with students.

23 4. On November 29, 2017, school staff reported to administrators that Skowhede 24 appeared under the influence at work. The Assistant Principal observed Skowhede in 25 the classroom and noted Skowhede appeared impaired, had glassy eves and shaky hands. Administrators requested that Skowhede submit to a urinalysis test and a 26 classroom search. At the testing site, Skowhede changed his mind and refused to 27 28 take the required test. Skowhede admitted to officials that he had "pot candies" in his 29 personal backpack stored in Skowhede's classroom and "Pot Gummies" in his vehicle 30 parked in the school parking lot. Skowhede later provided these to school officials. 31 The gummy's label indicated they contained 4.88mg of THC per serving. Skowhede

1	was placed on administrative leave and on December 21, 2017, Skowhede resigned
2	his employment with the GSD.
3 4	CONCLUSIONS OF LAW
5	Tracy Skowhede's conduct described in sections two (2) and three (3) above
6	constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-
7	020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (Use professional
8	judgment), OAR 584-020-0025(2)(e) (Using district lawful and reasonable
9	rules and regulations); and OAR 584-020-0040(4)(0) as it incorporates OAR
10	584-020-0035(1)(c)(D) (Honoring appropriate adult boundaries with students
11	in conduct and conversations at all times).
12	Tracy Skowhede's conduct described in section two (2) and four (4) above
13	constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-
14	020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (Use professional
15	judgment); OAR 584-020-0025(2)(e) (Using district lawful and reasonable
16	rules and regulations); OAR 584-020-0040(4)(g) (Appearing on duty or at any
17	district-sponsored activity while under the influence of alcohol, marijuana, or
18	any controlled substance); and OAR 584-020-0040(4)(0) as it incorporates OAR
19	584-020-0035(3)(a) (Maintain the dignity of the profession by respecting and
20	obeying the law, exemplifying personal integrity and honesty). Skowhede's
21	conduct also constitutes gross unfitness in violation of ORS 342.175(1)(c); OAR
22	584-020-0040(5)(e) (Admission of or engaging in acts constituting criminal
23	conduct, even in the absence of a conviction).
24	The Commission's authority to impose discipline in this matter is based
25	upon ORS 342.175.

1	FINAL ORDER
2	The Commission hereby revokes Tracy Skowhede's Oregon educator license.
3	IT IS SO ORDERED THIS day of May, 2020.
4	TEACHER STANDARDS AND PRACTICES COMMISSION
	By: Anthony J. Rozilez
5	By:
6	Dr. Anthony Rosilez, Executive Director
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8	NOTICE OF APPEAL OR RIGHTS
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10	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
11	BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE
12	SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF
13	ORS 183.482 TO THE OREGON COURT OF APPEALS.