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BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
OF THE STATE OF OREGON

In the Matter of the) STIPULATION OF FACTS AND
Educator License of) FINAL ORDER OF PUBLIC
PAUL L. PIERSON) REPRIMAND AND PROBATION

On April 12, 2018, the Teacher Standards and Practices Commission (Commission) received a report from the Department of Human Services – Child Welfare indicating Paul Pierson (Pierson) had engaged in conduct that may be considered gross neglect of duty and/or gross unfitness. On May 15, 2018, the Commission received a school district report regarding the same allegations. Specifically, they reported Pierson had engaged in inappropriate physical contact with a special education student in violation of local policy.

After review of the matters alleged, Pierson 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 public reprimand, and a two (2) year period of probation.

This Order sets forth the facts upon which the parties have agreed and the sanction to be imposed. Pierson stipulates that there are sufficient facts contained in the Commission’s files and records to support the findings of fact and conclusions of law set forth below. In entering into this stipulation, Pierson waives the right to a hearing to contest the findings of fact, conclusions of law and order set forth below.

By signing below, Pierson 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 Public Reprimand 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 Pierson 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 promise or representation has

1 been made to induce him to sign this Stipulation and Final Order; and (vii) he has
2 consulted with an attorney regarding this Stipulation and Final Order and has been fully
3 advised with regard to his rights thereto, or waives any and all rights to consult with an
4 attorney prior to entering into this Stipulation and Final Order and issuance and entry of
5 the Stipulated Final Order below.

6
7 **STIPULATION OF FACTS**

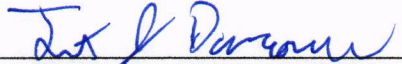
- 8 1. The Commission has licensed Pierson since August 29, 2000. Pierson holds a
9 Professional Teaching License, with an endorsement in Special Education:
10 Generalist (PK-12), valid from July 20, 2017, through July 19, 2022. During all
11 relevant times, Pierson was employed by the Portland Public Schools District
12 (PPSD). Pierson was providing teaching / special education services in the Astor
13 Learning Center.
14
- 15 2. On April 12, 2018, the Commission received a report from the Department of
16 Human Services – Child Welfare indicating Pierson had engaged in conduct that
17 may be considered gross neglect of duty and/or gross unfitness. On May 15, 2018,
18 the Commission received a school district report regarding the same allegations.
19 Specifically, they reported Pierson had engaged in inappropriate physical contact
20 with a special education student in violation of local policy.
21
- 22 3. Investigation determined that on or about March 23, 2018, Pierson and six-year-
23 old special education student JB were eating breakfast in the cafeteria as Pierson
24 did routinely. JB began acting out, deliberately spilling his milk on and around
25 other students. Pierson escorted JB out of the cafeteria by holding his arm over
26 his head and guiding him to the hallway. While in the hallway, Pierson continued
27 holding onto JB's arm. Pierson then aggressively removed JB's backpack in an
28 effort to prevent him from running away. A visiting patron observed Pierson's
29 interactions and reported the incident to school officials. The patron described
30 Pierson's conduct as aggressive, pulling and yanking, while yelling at the student.
31 District records indicate that in response to prior incidents, school administrators
32 had discussed and documented with Pierson appropriate expectations and
33 responses to student misconduct. This included hands off policy as well as other
34 directives and policy detailing how to appropriately de-escalate misconduct.
35

1 PPSD determined Pierson's March 23, 2018, conduct violated policy and previous
2 directives and pursued disciplinary action. Effective June 28, 2018, Pierson
3 resigned his employment with PPS.

4
5 IT IS SO STIPULATED:

6 
7 _____
8 Paul Pierson

March 28, 2020
Date

9 
10 _____
11 Trent Danowski, Deputy Director
12 Teacher Standards and Practices Commission

April 10, 2020
Date

13 **CONCLUSION OF LAW**

14 The conduct described in sections two (2) and three (3) above constitutes gross
15 neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it
16 incorporates OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-
17 0020(2)(d) (*Skill in the supervision of students*), OAR 584-020-0025(2)(e) (*Using*
18 *district lawful and reasonable rules and regulations*), and OAR 584-020-0040(4)(d)
19 (*Unreasonable physical force against students, fellow employees, or visitors to the*
20 *school, except as permitted under ORS 339.250*).

21
22 The Commission's authority to impose discipline in this matter is based upon
23 ORS 342.175.

24 **ORDER**

25 The Commission adopts and incorporates herein the above findings of fact and
26 conclusions of law, and based thereon, imposes a public reprimand upon Paul Pierson's
27 Oregon educator license.

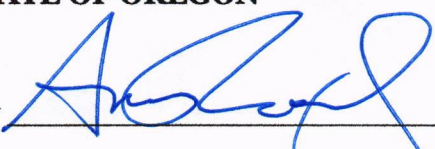
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29 Furthermore, the Commission imposes a period of two (2) years' of probation
30 upon Pierson's Oregon educator license to commence from the date this order is signed,
31 and subject to the following terms and conditions of probation:

- 32
33 1. Pierson shall comply with the Standards for Competent and Ethical Performance
34 of Oregon Educators under Oregon Administrative Rules Chapter 584, Division
35 020.

1 2. Pierson shall submit proof he successfully completed Commission approved
2 training related to proper student management / restraints within the first year
3 of probation.

4
5 Issued and dated this 13 day of April, 2020.

6 **TEACHER STANDARDS AND PRACTICES COMMISSION**
7 **STATE OF OREGON**

8
9 By  _____

10 Dr. Anthony Rosilez, Executive Director