

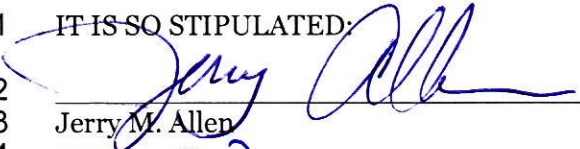
1 attorney prior to entering into this Stipulation and Final Order and issuance and entry of
2 the Stipulated Final Order below.

3 **STIPULATION OF FACTS**

- 4 1. The Commission has licensed Allen since September 10, 1998. Allen holds a
5 Professional Teaching License, with endorsements in Elementary Multiple
6 Subjects (PK-12); Foundational Mathematics (PK-12); and Foundational Science
7 (PK-12), valid from January 29, 2016, through January 28, 2021. During all
8 relevant times, Allen was employed by PPS.
- 9 2. On July 20, 2018, the Commission received a district report alleging Allen had
10 violated professional standards and local policy related to a confrontational
11 interaction with a student. On April 19, 2018, educator Johnson directed student
12 OB not to enter her classroom and to report to another classroom. This request
13 was made due to ongoing disciplinary issues with OB. Allen was standing next to
14 Johnson outside her classroom during the passing time between classes and
15 observed OB as he defied Johnson's directions and entered her classroom.
16 Johnson had previously shared with Allen that she was having difficulty with OB
17 ignoring her directions, and when he defied her this time, she said to Allen, "see,
18 this is what I mean." Allen called out to OB, but OB ignored him too. Allen then
19 grabbed OB's backpack with one hand to get OB's attention. OB turned around
20 to face Allen, and Allen let go of the backpack. Allen told OB that he needed to go
21 to the other classroom and pointed in that direction. When OB failed to comply
22 with Allen's request, Allen repeated his request with a firm tone. The district
23 investigated and determined Allen's conduct violated district policy and past
24 directives issued to Allen as related to proper student management and
25 unnecessary physical contact with students.
- 26 3. On November 9, 2017, Allen entered into a Letter of Informal Reprimand
27 agreement with the Commission. This agreement included a two year monitoring
28 period (11/09/2017 thru 11/09/2019) in which Allen agreed to the following
29 condition(s):
 - 30 a. You (Allen) will comply with the Standards for Competent and Ethical
31 Performance of Oregon Educators under Oregon Administrative Rules
32 Chapter 584, Division 020.

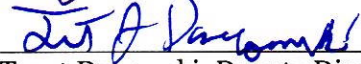
1 Allen's Letter of Informal Reproval further stated, "During the monitoring
2 period, if Allen fails to comply with the terms of this Reproval, the Commission
3 may take disciplinary action based on one or both of the following:
4 1. The conduct underlying this Reproval; or
5 2. Failure to comply with the terms of this Reproval.
6 Failure to comply with these terms constitutes an independent basis for the
7 Commission to impose public discipline which may include any discipline
8 available to the Commission by rule, up to and including revocation of Allen's
9 license, after first providing him with notice and opportunity for hearing."

10
11 IT IS SO STIPULATED:

12 
13 _____
14 Jerry M. Allen

5/16/19

Date

15 
16 _____
17 Trent Danowski, Deputy Director
Teacher Standards and Practices Commission

5/21/19

Date

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CONCLUSION OF LAW

The conduct described in section two (2) above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0020(2)(d) (*Skill in the supervision of students*), and OAR 584-020-0025(2)(e) (*Using district lawful and reasonable rules and regulations*).

The conduct described in section three (3) above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*), and OAR 584-050-0125(5)(b) (*If an educator fails to comply with the terms of a letter of informal reproval, the Commission may take disciplinary action against the educator based on failure to comply with the terms of the letter of informal reproval*).

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

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ORDER

The Commission adopts and incorporates herein the above findings of fact and conclusions of law, and based thereon, imposes a Public Reprimand on Jerry Mark Allen's Oregon educator license.

Furthermore, the Commission imposes a period of two (2) years of probation upon Allen's licensure to commence from the date this order is signed by the Commission and subject to the following conditions:

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

Issued and dated this 19 day of June, 2019.

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

By  _____
Dr. Anthony Rosilez, Executive Director

RECEIVED

MAY 20 2019

Teacher Standards &
Practices Commission