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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 SUSPENSION
TERRENCE T. SMYTH)

On March 21, 2019, the Teacher Standards and Practices Commission (Commission) received a report from the Jewell School District (JSD) indicating Terrence T. Smyth (Smyth) may have committed an act of gross neglect of duty and/or gross unfitness, in connection with engaging in inappropriate interactions with coworkers that violated JSD sexual harassment policies.

After review of the matters alleged, Smyth and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts and the imposition of a three (3) month suspension.

This Order sets forth the facts upon which the parties have agreed and the sanction to be imposed. Smyth 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, Smyth waives the right to a hearing to contest the findings of fact, conclusions of law and order set forth below.

By signing below, Smyth 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 Suspension (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 Smyth 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 been made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an attorney regarding this Stipulation and Final Order and has been fully advised with regard to his rights thereto, or waives any and all rights to consult with an attorney prior

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

3
4 **STIPULATION OF FACTS**

5
6 1. The Commission has licensed Smyth since August 22, 1988. Smyth holds a
7 Professional Administrator License, with an endorsement in Administrator (PK-
8 12), which is valid from May 16, 2016, through February 17, 2021. During all
9 relevant times, Smyth was employed by the Jewell School District (JSD).

10
11 2. On March 21, 2019, the Commission received a report from the JSD indicating
12 Smyth had engaged in inappropriate interactions with coworkers and had
13 violated the district's sexual harassment policy.

14
15 3. Investigation determined that during the 2016-2017 school year, Smyth engaged
16 in unprofessional interactions and in-person communications with female
17 coworkers who were subordinate to him. The communications were flirtatious
18 and sexually suggestive in nature and took place both in the work place and off
19 campus, while on-duty and off-duty. Additionally, Smyth engaged in unwanted
20 physical touching of female coworkers who were subordinate to him. JSD
21 determined that Smyth's conduct violated the following district policy:

22
23 GCAA: Standards for Competent and Ethical Performance of Oregon Education.-
24 Recognizing the worth and dignity of all persons, and Use of professional
25 judgement.

26
27 4. Smyth resigned from the district on or about April 2, 2019.

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34 IT IS SO STIPULATED:

1 Terrence J Smyth
2 Terrence J. Smyth

11/11/2020
Date

3 Trent Danowski
4 Trent Danowski, Deputy Director
5
6 Teacher Standards and Practices Commission
7

11/17/2020
Date

8
9 **CONCLUSION OF LAW**

10 The conduct described in sections two (2), and three (3) above constitutes gross
11 neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it
12 incorporates OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-
13 0025(2)(e) (*Using district lawful and reasonable rules and regulations*), and OAR 584-
14 020-0030(2)(b) (*Skill in communicating with administrators, students, staff, parents,*
15 *and other patrons*); and 584-020-0040(4)(l) (*Sexual Harassment*).

16
17 The Commission's authority to impose discipline in this matter is based upon ORS
18 342.175.

19 **ORDER**

20 The Commission adopts and incorporates herein the above findings of fact and
21 conclusions of law, and based thereon, imposes a three (3) month suspension upon
22 Smyth's Oregon educator license as follows:

23 Terrence Smyth's Oregon educator license is hereby suspended for three (3)
24 months following the adoption of this order.

25 Furthermore, the Commission mandates the successful completion of an
26 approved Sexual Harassment Prevention Course as a condition for Reinstatement from
27 Suspension. Additionally, upon reinstatement of his Oregon educator license the
28 following terms and conditions will apply:

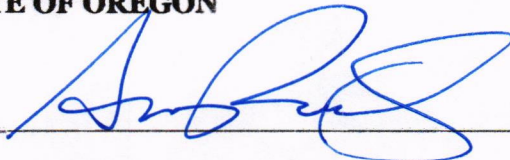
- 29
30 1. Smyth shall comply with the Standards for Competent and Ethical
31 Performance of Oregon Educators under Oregon Administrative Rules
32 Chapter 584, Division 020.

33
34 Violation of any term shall constitute an independent basis for the Commission to revoke
35 Smyth's Oregon educator license or otherwise impose discipline, after first providing
36 Smyth with notice and opportunity for hearing

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Issued and dated this 5 day of February, 2021.

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

By  _____

Dr. Anthony Rosilez, Executive Director