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 OF Educator License of:) SUSPENSION MATTEW P. KENNETH) AND PROBATION
9	On July 22, 2020, the Teacher Standards and Practices Commission
10	(Commission) issued a Notice of Opportunity for Hearing to Matthew P. Kenneth
11	(Kenneth) 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 7019 0700 0002 0914 4895 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 on July 27
16	2020. The regular first class mail was not returned to the Commission, and was
17	assumed delivered. The Notice of Opportunity of Hearing, dated July 22, 2020, and
18	signed by Anthony 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	Kenneth did not request a hearing. The Commission, therefore, finds Kenneth to be in
30	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. The Commission has licensed Kenneth since December 23, 2009. Kenneth held a
35	Preliminary Teaching License, with an endorsement in Elementary – Multiple
36	Subjects (PK-12) and Special Education: Generalist (PK-12), valid from August 13,
37	2016, through August 12, 2019. On May 31, 2019, Kenneth made application for
38	renewal of his licensure, and his renewal was pended until the investigation process

was completed. During all relevant times, Kenneth was employed by the Portland Public School District (PPSD).

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On March 18, 2019, the Commission received a report from PPSD indicating
Kenneth may have committed acts which constitute gross neglect of duty and/or
gross unfitness. Specifically, that Kenneth disregarded district directives and
continued to post students' work on a social media website, and that Kenneth angrily
pushed a desk against two elementary school students.

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10 3. Investigation determined the district had documented a pattern of multiple incidents 11 related to Kenneth's poor classroom management beginning in the spring of 2016. 12 Kenneth was involved in incidents that included arguing with students, crumpling a 13 student's test and throwing it on the floor, grabbing a student by the arm, spending 14 an inordinate amount of time on his cell phone for non-school related purposes, 15 failing to take attendance, failing to attend individualized education program (IEP) 16 meetings and failing to complete IEP documentation. The district documented that 17 in the fall of 2017, Kenneth posted students' worksheets, some of which included 18 student identifying information, on his personal Facebook account. Kenneth 19 admitted to district officials he posted the students' work and agreed to remove the 20 material and make his account more private. It was learned that in March 2018, after 21 being directed to remove students' material, Kenneth had posted different students' 22 worksheets, which included student identifying information, on his personal 23 Facebook account. Kenneth admitted to district officials he posted students' material 24 after being directed not to.

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4. Investigation determined that on December 7, 2018, Kenneth was involved in an incident in which a student was misbehaving in class. Several students observed Kenneth becoming upset with a student, berating the student with a raised voice while following the student around the classroom and then eventually grabbing the student before assistance from the school's administration arrived. On March 14, 2019, after an investigation and meetings involving Kenneth, district officials and the union, Kenneth submitted his resignation with the district.

1	CONCLUSIONS OF LAW
2	Matthew P. Kenneth's conduct as described above constitutes gross neglect of
3	duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates
4	OAR 584-020-0010(5) (Use professional judgment); OAR 584-020-0020(2)(d)(Skill in
5	the supervision of students); OAR 584-020-0025(2)(c) (Using and maintaining student
6	records as required by federal and state law and district policies and procedures);
7	OAR 584-020-0025(2)(e) (Using district lawful and reasonable rules and regulations);
8	and OAR 584-020-0040(4)(d) (Unreasonable physical force against students, fellow
9	employees, or visitors to the school, except as permitted under ORS 339.250).
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11	The Commission's authority to impose discipline in this matter is based upon
12	ORS 342.175.
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14	FINAL ORDER
15	The Commission hereby suspends Matthew P. Kenneth's Oregon educator license
16	for one (1) year. Prior to reinstatement of Kenneth's Oregon educator license, the
17	Commission requires Kenneth to successfully complete a Commission approved training
18	in the area of classroom management. Upon successful reinstatement of Kenneth's
19	Oregon educator license, Kenneth will be placed on probation for a period of three (3)
20	years.
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22	IT IS SO ORDERED THIS 22 holday of September, 2020.
23	TEACHER STANDARDS AND PRACTICES COMMISSION
24	By: Anthony J. Rosiles
25	Dr. Anthony Rosilez, Executive Director
26 27	NOTICE OF APPEAL OR RIGHTS
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29 30 31 32	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF 183.482 TO THE OREGON COURT OF APPEALS.