

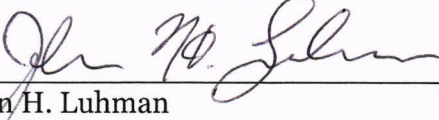
1 attorney prior to entering into this Stipulation and Final Order and issuance and entry of
2 the Stipulated Final Order below.

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4 **STIPULATION OF FACTS**

- 5 1. The Commission has licensed Luhman since March 2, 1999. Luhman previously
6 held a Continuing Administrator License, with an endorsement in Administrator
7 (All Grade Levels), valid from January 8, 2015, through January 22, 2020.
8 During all relevant times, Luhman was employed by the Bethel School District
9 (BSD).
- 10 2. On July 15, 2019, the Commission received a report from the BSD indicating
11 Luhman may have committed acts of gross neglect of duty and/or gross
12 unfitness. Specifically, that Luhman failed to properly conduct observations for
13 probationary teachers and falsified teacher evaluations.
- 14 3. Investigation established a seeming pattern of poor professional judgement
15 dating back to 2016. In late September 2016, Luhman failed to notify parents in a
16 timely manner that their child wandered off school property during recess.
17 Luhman was given a reprimand by the district for this. In late September 2016,
18 Luhman shared confidential student information regarding the name of a
19 medical facility with another student's parent. The district suspended Luhman
20 one (1) day for this. In late February 2018, Luhman was placed on a program of
21 assistance for perceived inconsistencies with his leadership skills, organizational
22 skills and communication skills, though the program was not monitored by the
23 district in the 2018-2019 school year. In March 2018, Luhman admitted using an
24 unapproved restraint technique in an attempt to control a student exhibiting a
25 behavioral outburst. The district suspended Luhman for three (3) days.
- 26 4. Investigation established that during the 2018-2019 school year, Luhman
27 admitted to using informal "walk-through" observations when completing the
28 formal evaluations for approximately five (5) probationary teachers at Clear Lake
29 Elementary School. Luhman also signed and dated an evaluation for a day he was
30 not present at school via an electronic database system. Luhman contended this
31 was done inadvertently. The BSD found Luhman's misrepresentation of the
32 observation data and his failure to properly conduct pre-observation meetings
33 were in violation of district policies. Luhman contended such policies were not
34 consistently applied to all administrators.

1 5. Luhman received good evaluations by superintendents during his prior fifteen
2 (15) years with the district as an administrator. Luhman believed there was
3 overzealous scrutiny of his performance after a new superintendent was hired.
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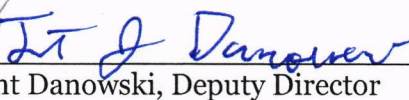
5 IT IS SO STIPULATED:

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7 _____

8 John H. Luhman

10/14/2020

Date

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10 _____

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

10/14/2020

Date

13
14 **CONCLUSION OF LAW**

15 The conduct described above constitutes gross neglect of duty in violation of ORS
16 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use*
17 *professional judgment*), OAR 584-020-0010(1) (*Recognize the worth and dignity of all*
18 *persons and respect for each individual*), OAR 584-020-0020(3)(d) (*Skill in the use of*
19 *employee and leadership techniques appropriate to the assignment and according to*
20 *well established standards which ensure due process for the staff for which the*
21 *administrator is responsible for evaluating*), OAR 584-020-0025(2)(e) (*Using district*
22 *lawful and reasonable rules and regulations*), OAR 584-020-0030(2)(b) (*Skill in*
23 *communicating with administrators, students, staff, parents, and other patrons*); OAR
24 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(3)(a) (*Maintain the dignity*
25 *of the profession by respecting and obeying the law, exemplifying personal integrity and*
26 *honesty*); and OAR 584-020-0040(4)(c) (*Falsification of any document or knowing*
27 *misrepresentation directly related to licensure, employment, or professional duties*).
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29 The Commission's authority to impose discipline in this matter is based upon
30 ORS 342.175.
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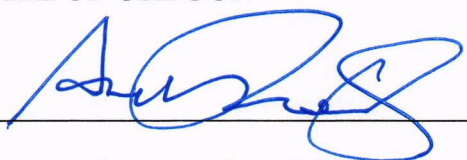
32 **ORDER**

33 The Commission adopts and incorporates herein the above findings of fact and
34 conclusions of law, and based thereon, imposes a Public Reprimand on John H.
35 Luhman's Oregon educator license.
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Issued and dated this 6 day of November 2020.

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

By  _____

Dr. Anthony Rosilez, Executive Director