## 1 BEFORE THE TEACHERS STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON 3 In the Matter of the ) STIPULATION OF FACTS AND 4 5 6 Educator License of ) FINAL ORDER OF SUSPENSION JEFFREY W. BENJAMIN 7 On October 10, 2019, the Teacher Standards and Practices Commission 8 (Commission) received a report from the Santiam Canyon School District (District) 9 indicating Jeffrey W. Benjamin (Benjamin) may have committed an act of gross neglect of duty and/or gross unfitness, specifically, that while on a school sponsored trip to 10 11 Ashland, Oregon, Benjamin consumed alcohol prior to supervising students at a school 12 sponsored activity and then transported students to their hotel at the conclusion of the 13 activity. 14 After review of the matters alleged, Benjamin and the Commission agree that 15 their respective interests, together with the public interest, are best served by a 16 stipulation to certain facts and the imposition of a thirty (30) day suspension. 17 This Order sets forth the facts upon which the parties have agreed and the 18 sanction to be imposed. Benjamin stipulates that there are sufficient facts contained in 19 the Commission's files and records to support the findings of fact and conclusions of law 20 set forth below. In entering into this stipulation, Benjamin waives the right to a hearing 21 to contest the findings of fact, conclusions of law and order set forth below. 22 By signing below, Benjamin acknowledges, understands, stipulates, and agrees to 23 the following: (i) he has been fully advised of his rights to notice and a hearing to contest 24 the findings of fact, conclusions of law, and order set forth below, and fully and finally 25 waives all such rights and any rights to appeal or otherwise challenge this Stipulation of 26 Facts and Final Order of Suspension (Stipulation and Final Order); (ii) this Stipulation 27 and Final Order is a public document and disclosed to the public upon request by the 28

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 Benjamin 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

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

## STIPULATION OF FACTS

The Commission has licensed Benjamin since March 13, 2017. Benjamin holds a
Professional Teaching License, with an endorsement in English Language Arts
(PK-12), Foundational English Language Arts (PK-12) and Social Studies (PK-12),
valid from March 14, 2018, through April 7, 2023. During all relevant times,
Benjamin was employed by the Santiam Canyon School District (SCSD).

2. On October 10, 2019, the Commission received a report from the SCSD indicating Benjamin may have committed an act which constitutes gross neglect of duty. The District reported while on a school sponsored trip to Ashland, Oregon, Benjamin consumed alcohol prior to supervising students at a school sponsored activity and then transported students to their hotel at the conclusion of the activity.

3. Investigation determined that September 14-16, 2019, Benjamin and several other District staff chaperoned students on a school sponsored trip to Ashland, Oregon. This was Benjamin's first field trip with district. On September 15, 2019, at approximately 4:00 PM, Benjamin met with another chaperone at a restaurant, and Benjamin consumed a beer. At Approximately 5:00 PM, Benjamin joined several other chaperones for dinner at the restaurant and Benjamin consumed another beer with his meal. At approximately 6:00 PM, one of the chaperones ordered and paid for an alcoholic dessert beverage for all the chaperones. Being collegial, Benjamin consumed the dessert beverage. At approximately 7:50 PM, Benjamin and the other chaperones arrived at the activity to supervise the students already present at the venue. At approximately 10:45 PM, upon conclusion of the activity, Benjamin and several other chaperones drove students back to the hotel in District provided vehicles. There were no reports or complaints that Benjamin appeared impaired or unable to supervise students that evening.

1	4. The district investigated the matter and issued Benjamin a Letter of Directive. The
2	district retained Benjamin in part because this was the first issue in Benjamin's career
3	of over twenty-five (25) years and experienced chaperones on the trip failed to lead by
4	example. Benjamin has continued working for the district with no issues.
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7	IT IS SO STIPULATED:
8 9	( ) Then W. 1 Sen ammi 8/20/202/
10	Jeffrey/W. Benjamin Date
11 12	Jeffrey/W. Benjamin 8/20/202/ Date  25 Danoun 8/20/202/
13	Trent Danowski, Deputy Director Date
14	Teacher Standards and Practices Commission
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16	CONCLUSION OF LAW
17	The conduct described section three (3) above constitutes gross neglect of duty in
18	violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-
19	020-0010(5) (Use professional judgment) and OAR 584-020-0025(2)(e) (Using district
20	lawful and reasonable rules and regulations).
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22	The Commission's authority to impose discipline in this matter is based upon
23	ORS 342.175.
24 25	ORDER
26	The Commission adopts and incorporates herein the above findings of fact and
27	conclusions of law, and based thereon, imposes a thirty (30) day suspension upon Jeffrey
- <i>:</i> 28	W. Benjamin's Oregon educator license. In consideration of the Commission's
29	deferment of the adoption of this stipulation originally scheduled for August 9, 2021, the
30	suspension is deemed to have commenced on August 9, 2021, and ends on September 7,
31	2021. Benjamin will therefore be eligible for reinstatement of TSPC licensure effective
32	September 8, 2021.
33	Furthermore, Benjamin is subject to the following conditions prior to
34	reinstatement of his Oregon educator license:
35	Benjamin shall comply with the Standards for Competent and Ethical
36	Performance of Oregon Educators under Oregon Administrative Rules Chapter
37	584, Division 020.

1	Issued and dated this 20 day of August, 2021.
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3	TEACHER STANDARDS AND PRACTICES COMMISSION
4	STATE OF OREGON
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6	By he
7	Dr. Anthony Rosilez, Executive Director