

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 Santos since July 13, 2005. Santos previously held
5 a Professional Teaching License with endorsements in Legacy Middle Level (PK-
6 12), Health (PK-12), and Physical Education (PK-12). The license was issued on
7 May 22, 2015 and expired on May 21, 2020. During all relevant times, Santos
8 was employed by the Beaverton School District (BSD).

9
10 2. On October 22, 2019, TSPC received a report from the Beaverton School District
11 alleging that Santos had failed to maintain appropriate boundaries with students
12 on multiple occasions. The report stated that Santos had previously been
13 disciplined by the district for failing to maintain appropriate boundaries with
14 students. The report stated that Santos engaged in similar behavior a second
15 time, with a Beaverton High School Student (NS) who was formerly one of his
16 middle school students. The alleged behavior included texting NS the following
17 messages on or about September 9, 2019:

- 18
19 • “Is this still (name of student)?”
20 • “Your favorite coach? (when asked who was texting)”
21 • “Voce ja me esqueceu?” (Portuguese for “you’ve already forgotten me?”)
22 • “You’re not playing volleyball this year?”

23
24 The day after the messages were sent, on September 10, 2019, Santos saw NS at a
25 volleyball game and gave her a hug. Santos asked her if Santos had the correct
26 phone number for her, which caused the student to realize Santos was the person
27 who had texted her the messages the night before. Santos spoke to NS about
28 teaching sexual health to students, and made a comment about “only a few
29 students would know what to do with the information.” The student reported she
30 was uncomfortable with the conversation and started to leave, and Santos then
31 have her another “squeeze hug” which also made her uncomfortable. As NS was
32 leaving, she reported that Santos touched her hair and said “it is so pretty.”
33

1 Additionally, the report mentioned the following specific incidents which the
2 school district was able to substantiate:

- 3
- 4 • An Asian female student (CY) reported that Santos had placed his hand
5 on her upper thigh. Another male student who was sitting near Santos,
6 reached over and removed his hand. Santos then told the student that he
7 has an Asian wife, and stated that “people say I have yellow fever.”
8
- 9 • A female student (CT) reported that when she was in the 6th grade, Santos
10 clasped her hand when he high-fived her. She reports that she was shaken
11 up about this and had to go to the bathroom to collect herself.
12
- 13 • A female student (CV) reported that Santos wrote her notes when she
14 worked as his TA. The notes were reported to say things such as “Best TA
15 ever” and “Love you sweetie.” CV also reported that Santos called her
16 “mamacita” and also clasped her hand, sometimes with interlaced fingers,
17 when Santos gave her high fives.
18
- 19 • Male students interviewed by the district reported seeing Santos hug
20 female students, touch their hair, and make them uncomfortable.
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- 22 • A BHS parent reported seeing Santos interact with female students and
23 act “too friendly” and give them hugs and touch their hair.

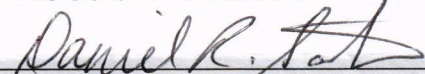
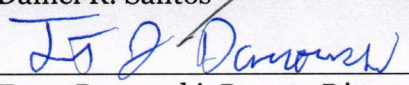
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25 For these behaviors, the district issued Santos a Letter of Reprimand on May 16,
26 2019 and another Letter of Reprimand and one day suspension without pay on
27 October 15, 2019.

- 28
- 29 3. Santos interviewed with TSPC investigative staff on September 22, 2020. During
30 the interview, Santos admitted to texting NS but stated it was because they were
31 both Brazilian. Santos stated that he felt he and NS had a cultural connection.
32 Santos admitted to giving NS a side hug the next day, but denied giving frontal
33 hugs to her or any student as he “reserved those for family.” Santos didn’t recall
34 touching NS’s hair, but stated that it was possible that he had told her that her
35 hair looked nice. Santos reported that he remembered leaving a note for former

1 TA, (student CV) and said that the two joked about her being the best TA and him
2 being the best PE teacher. Santos denied leaving her a note that said "love you
3 sweetie." Santos denied ever placing his hand on a student's thigh, but admitted
4 to using the expression "yellow fever" around students but "didn't mean it in a
5 negative way." Santos denied having romantic feelings for NS or any other
6 student, and stated that his actions were a "very bad" mistake.

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8
9 IT IS SO STIPULATED:

10 	<u>March 12, 2021</u>
11 Daniel R. Santos	Date
12 	<u>03/23/2021</u>
13 Trent Danowski, Deputy Director	Date
14 Teacher Standards and Practices Commission	

16
17 **CONCLUSION OF LAW**

18 The conduct described above constitutes gross neglect of duty in violation of ORS
19 342.175(1)(b); OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-
20 0025(2)(e) (*Using district lawful and reasonable rules and regulations*); OAR 584-020-
21 0040(4)(o) as it incorporates OAR 584-020-0035(1)(b) (*Refrain from exploiting
22 professional relationships with any student for personal gain, or in support of persons
23 or issues*), OAR 584-020-0035(1)(c)(A) (*Not demonstrating or expressing
24 professionally inappropriate interest in a student's personal life*), and OAR 584-020-
25 0035(1)(c)(D) (*Honoring appropriate adult boundaries with students in conduct and
26 conversations at all times*).

27
28 The Commission's authority to impose discipline in this matter is based upon
29 ORS 342.175.

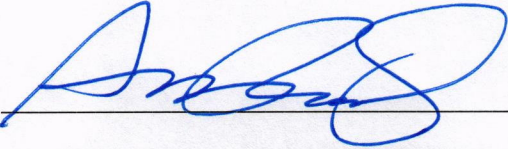
30 **ORDER**

31 The Commission adopts and incorporates herein the above findings of fact and
32 conclusions of law, and based thereon, imposes a Public Reprimand. Additionally, the
33 commission imposes a term of Probation for not less than three (3) years.

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35 Issued and dated this 2 day of April 2021.

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

By  _____

Dr. Anthony Rosilez, Executive Director