

1 consulted with an attorney regarding this Stipulation and Final Order and has been fully
2 advised with regard to his rights thereto, or waives any and all rights to consult with an
3 attorney prior to entering into this Stipulation and Final Order and issuance and entry of
4 the Stipulated Final Order below.

5 6 **STIPULATION OF FACTS**

- 7 1. The Commission has licensed Munoz since August 21, 2012. Munoz holds a
8 Principal License (PK-12), valid from August 2, 2019, through August 1, 2022.
9 Munoz also holds a Preliminary Teaching License, with an endorsement in
10 English Language Arts (PK-12), valid from August 2, 2020, through August 1,
11 2023. During all relevant times, Munoz was employed by the Greater Albany
12 Public School District (GAPSD).
- 13 2. On October 13, 2020, the Commission received a report from the GAPSD
14 indicating Munoz may have committed acts of gross neglect of duty and/or gross
15 unfitness. Specifically, the District alleged Munoz failed to enforce District
16 directives and state orders related to COVID-19 at South Albany High School
17 (SAHS) during the 2020 school year.
- 18 3. Investigation determined Munoz served as principal at SAHS for the 2018-19 and
19 2019-20 school years. Prior to June 2020, the Oregon governor issued several
20 executive orders detailing appropriate COVID-19 measures to prevent spread and
21 protect people from getting infected with the COVID-19 virus. The measures
22 covered the general population and K-12 schools. The GAPSD developed and
23 implemented numerous safety measures for protecting school staff and students
24 from COVID-19. Some of the district's measures were similar to or directly
25 reflected the measures in the executive orders. District measures at the time
26 included restricting staff and other persons from being in school buildings; a
27 requirement for people in school buildings to be masked and maintain social
28 distancing, and any person entering a school building was required to sign-in and
29 provide a temperature reading, which was taken the same day and prior to
30 entering a building.
- 31 4. On June 20, 2020, Munoz participated in a championship ring presentation
32 ceremony. The ceremony was originally intended to be conducted outdoors on
33 the SAHS campus grounds, but was instead held in the "Commons" area inside
34 SAHS. The ceremony was attended by Munoz, members of the 2019-2020 SAHS

1 Cheer Team, team members' parents, and the former cheer coach. As school
2 principal, Munoz failed to get District approval for the event, permitted the event
3 to continue indoors, did not have people sign in or record their temperatures, and
4 Munoz did not direct unmasked attendees to don masks or maintain six (6) feet
5 of separation.

7 IT IS SO STIPULATED:

| | | |
|----|---|---|
| 8 |  |  |
| 9 | | |
| 10 | Nain G. Munoz | Date |
| 11 |  |  |
| 12 | | |
| 13 | Trent Danowski, Deputy Director | Date |
| 14 | Teacher Standards and Practices Commission | |

17 **CONCLUSION OF LAW**

18 The conduct described in paragraph 4 above constitutes gross neglect of duty in
19 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-
20 020-0010(5) (*Use professional judgement*), OAR 584-020-0025(2)(e) (*Using district*
21 *lawful and reasonable rules and regulations*), OAR 584-020-0025(3)(a) (*Leadership*
22 *skills in managing the school, its students, staff and programs as required by lawful*
23 *and reasonable district policies, rules, and regulations, state and federal laws and*
24 *regulations, and other programs as assigned, and assures that staff is informed of*
25 *these requirements*), and OAR 584-020-0035(3)(a) (*Maintain the dignity of the*
26 *profession by respecting and obeying the law, exemplifying personal integrity and*
27 *honesty*)

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

31 **ORDER**

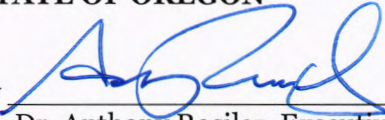
32 The Commission adopts and incorporates herein the above findings of fact and
33 conclusions of law, and based thereon, imposes a Public Reprimand on Nain G. Munoz's
34 Oregon educator license.

35 Furthermore, the Commission imposes a period of one (1) year probation upon
36 Munoz's license to commence from the date this order is signed by the Commission and
37 subject to the following condition:

1 1. Munoz shall comply with the Standards for Competent and Ethical Performance
2 of Oregon Educators under Oregon Administrative Rules Chapter 584, Division
3 020.

4
5 Issued and dated this 14 day of October, 2022.

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

8
9 By  _____
10 Dr. Anthony Rosilez, Executive Director