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**STIPULATION OF FACTS**

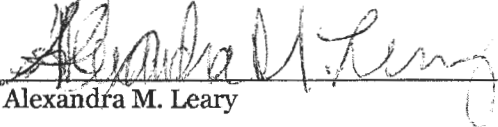
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1. The Commission has licensed Leary since July 9, 2009. Leary currently holds a Professional Teaching License, with endorsements in Elementary - Multiple Subjects (PK-12), Special Education: Generalist (PK-12), and English to Speakers of Other Languages (PK-12), valid from November 23, 2020, through November 22, 2025. During all relevant times, Leary was employed by the Roseburg School District (RSD) as the lead teacher of the district-wide Special Education Self-Contained Behavior Classroom serving students with significant social and emotional skill deficits. Leary is a National Board-Certified Teacher and a Crisis Prevention Institute instructor and trainer.
2. On October 5, 2021, the Commission received a report from RSD indicating Leary had engaged in conduct that may be considered gross neglect of duty and/or gross unfitness. Specifically, the District reported two incidents involving Leary and students in which Leary had unnecessary physical contact with the students.
3. Investigation determined that early in the 2021-22 school year in which students were at Fullerton IV Elementary School, Leary was working in the Turn Around Program. A kindergarten student who had a recent schedule change and had fallen asleep earlier in the day outside the school, again appeared to be sleeping on a beanbag chair in Leary's classroom. When Leary first attempted to rouse the student, the student responded with an obscene remark and hand gesture. Ignoring Leary, the student rolled over and attempted to go to sleep. After making additional attempts to rouse the student, Leary shifted the student's legs and removed the beanbag chair from beneath the student. After still receiving no response from the student, Leary attempted to get the student up by banging on the floor with her hands next to the student. The student finally responded by moving to a different part of the classroom and became emotional.
4. Investigation determined that on September 27, 2021, a student who appeared to be dysregulated entered Leary's classroom. Leary engaged the student in a corrective and descriptive conversation about Leary's interpretation of the student's facial expression and mood. When the student attempted to disengage from Leary by walking to another part of the classroom, Leary used a terse tone and asked him to recognize his feelings. As a result, he placed a beanbag chair

1 over himself to avoid further discussion and attempted to disengage and regulate  
2 himself. Later in the day, Leary held the backpack the student was wearing, and  
3 made vocal sounds to show her displeasure with the student.

4  
5 5. The District placed Leary on administrative leave while the matter was  
6 investigated. In early October 2021, the District notified Leary of their intent to  
7 seek her termination. On October 22, 2021, Leary resigned her position with the  
8 RSD effective June 10, 2022.

9  
10 IT IS SO STIPULATED:

11  \_\_\_\_\_ 10/4/2022  
12 \_\_\_\_\_ Date  
13 Alexandra M. Leary

14  \_\_\_\_\_ 10/4/2022  
15 \_\_\_\_\_ Date  
16 Trent Danowski, Deputy Director  
17 Teacher Standards and Practices Commission

18  
19 **CONCLUSION OF LAW**

20 The conduct described sections three (3) and four (4) above constitutes gross  
21 neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it  
22 incorporates, OAR 584-020-0010(5) (*Use professional judgement*), OAR 584-020-  
23 0020(2)(d) (*Skill in the supervision of students*), OAR 584-020-0025(2)(e) (*Using*  
24 *district lawful and reasonable rules and regulations*); and OAR 584-020-0040(4)(d)  
25 (*Unreasonable physical force against students, fellow employees, or visitors to the*  
26 *school, except as permitted under ORS 339.250*

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

29  
30 **ORDER**

31 The Commission adopts and incorporates herein the above findings of fact and  
32 conclusions of law, and based thereon, imposes a thirty (30) day suspension upon  
33 Alexandra M. Leary's Oregon educator license.

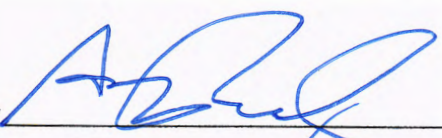
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Furthermore, the Commission imposes a period of two (2) years of probation upon Leary's licensure to commence from the date the order is signed by the Commission and subject to the following conditions:

1. Leary shall comply with the Standards for Competent and Ethical Performance of Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020.
2. Prior to reinstatement of her license, Leary shall take a Commission approved training course specifically related to classroom management and provide the Commission evidence of her successful completion.

Issued and dated this 14 day of October, 2022.

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

By   
\_\_\_\_\_  
Dr. Anthony Rosilez, Executive Director