



- 1           2) On February 3, 2022, TSPC received an Oregon Department of Human Services –  
2           Child Welfare (DHS) cross-report alleging misconduct against Kelley, an educator  
3           employed St. Agatha Catholic Private School in the CAP. Specifically, the report  
4           alleged that Kelley “snapped” at his students during a fifth grade Physical Education  
5           (PE) class on or about February 3, 2022. The report alleges that Kelley physically  
6           struck five (5) students “aggressively” on the tops of their heads with a foam pool  
7           noodle. Additionally, the report alleges that Kelley “yanked on the arm” of one male  
8           student pulling him back towards a wall.  
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- 10          3) Video documentation of the incident was reviewed by TSPC and Kelley is clearly  
11          visible on the video tapping students on the head with a foam pool noodle. In the  
12          video, Kelley was also seen casually pushing a student in the direction of a wall with  
13          minimal force. In the video it appears that Kelley is attempting redirected  
14          misbehavior students and usher them into the gym. The CAP was attempting to  
15          review this matter and Kelley resigned on February 7, 2022. In Kelley’s resignation  
16          letter Kelley cited a disability caused by a medical diagnosis that affected the “health  
17          of his voice.” Kelley stated that “I find myself struggling to communicate with my  
18          students without appropriate accommodations. Since the CAP cannot meet my  
19          accommodations, I am resigning my position effective immediately.” On February 10,  
20          2023, Kelley’s teaching license expired and has not been renewed.  
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- 23          4) On December 6, 2022, Kelley interviewed with TSPC investigative staff. Kelley  
24          reported that on or about May 1, 2021 he was diagnosed with throat cancer which  
25          affected his ability to verbally communicate, hence effectively ending his teaching  
26          career. Kelley provided TSPC with documentation of his medical diagnosis. Kelley  
27          reported that in July of 2021, his doctor advised him to take a year off work to  
28          recuperate. Kelley returned to work on January 6, 2022, being cleared by his doctor  
29          to work 3-4 hours with several half hour breaks recommended as part of his work  
30          schedule. Upon returning to work Kelley stated that he could not talk loud and was  
31          unable to raise his voice enough to effectively manage a classroom, teach and redirect  
32          students. Kelley reported during his interview that his actions on February 3, 2023

1 were attempts to compensate for his inability to use his voice effectively to redirect  
2 students. Kelley reported that he tried to use the foam pool noodle to get students  
3 attention but admitted that he regretted taking this action. Kelley ended the TSPC  
4 interview by stating that he has permanently retired from teaching and will not be  
5 returning to the classroom. Additionally, Kelley reported to TSPC investigative staff  
6 that he would not be renewing his teaching license.  
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## 8 CONCLUSIONS OF LAW

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10 The conduct described in sections two (2), and three (3) above constitutes  
11 gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it  
12 incorporates OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-  
13 0020(2)(d) (*Skill in the supervision of students*), OAR 584-020-0025(2)(e) (*Using*  
14 *district lawful and reasonable rules and regulations*), and 584-020-  
15 0040(4)(d) (*Unreasonable physical force against students, fellow employees, or*  
16 *visitors to the school, except as permitted under ORS 339.250*).  
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18 The Commission's authority to impose discipline in this matter is based upon ORS  
19 342.175.


## 20 FINAL ORDER

21 The Commission hereby issues a public reprimand upon Dennis J. Kelley's Oregon  
22 educator license.  
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24 IT IS SO ORDERED THIS 12 day of May, 2023.

25 TEACHER STANDARDS AND PRACTICES COMMISSION

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By:   
Dr. Anthony Rosilez, Executive Director

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NOTICE OF APPEAL OR RIGHTS

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YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW  
MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM  
THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE  
PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.