

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

4
5 **STIPULATION OF FACT**

6 1. On August 18, 2021, Benjamin D. Lee submitted an application with the Commission for a
7 Clinical Practices (Student Teaching) License, which was issued. On December 2, 2021, Lee
8 submitted an application with the Commission for a Restricted Substitute Teaching License.
9 On December 3, 2021, the David Douglas School District (DDSD) provided the Commission
10 a letter sponsoring Lee's license. On April 29, 2022, the license was closed after Lee failed to
11 provide his transcript.

12
13 2. On March 2, 2022, the Commission received a report from the Oregon Department of
14 Education (ODE) containing allegations that during the first few months of the 2021-22
15 school year, while Lee worked as a student-teacher/Instructional Assistant (IA) at Fir Ridge
16 Alternative High School, DDSD, Lee engaged in overly personal conversations with a female
17 student and showed undue interest in the student. The conversations were alleged to have
18 included topics that were overly personal in nature.

19
20 3. Investigation found Lee's conversations with the student included questions and discussions
21 about her personal life. These questions and discussions included inquiries about the status
22 of the student's personal relationships, what types of men she liked, and if she would
23 consider dating men of specific races.

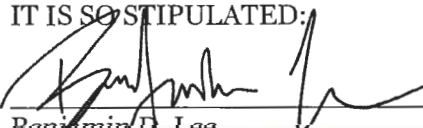
24
25 In September 2021, a staff member overheard Lee talking to another staff member in an
26 unprofessional manner regarding a student's behavior. Lee's comments and laughing were
27 heard by nearby students. In Lee's Commission interview, Lee admitted telling co-workers a
28 nickname Lee had which was a slang reference to penis size. Lee also admitted that a co-
29 worker once called Lee by the nickname at school, and it may have been in front of students.

30
31 In September 2021, after the student said men of a certain astrological sign should be
32 attracted to her, Lee told the student that he was that astrological sign. In October 2021, Lee
33 engaged the student in the cafeteria while the student was eating lunch with classmates, and
34 after asking why she had been avoiding him, Lee told the student that he thought she, "liked
35 being chased". In November 2021, Lee asked the student if she had spent the night with her

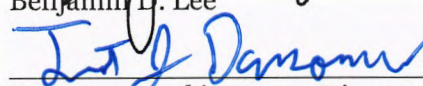
1 boyfriend. In November 2021, Lee again engaged the student in the cafeteria while she was
2 standing with a group of classmates. Lee commented the students looked like they were in a
3 dance circle. The student told Lee he could dance if he wanted. Lee declined and told the
4 student he would like to see her dance.

- 5
6 4. On December 1, 2021, the student reported to school staff that Lee was making her
7 uncomfortable. The DDS placed Lee on administrative leave that day and made a report to
8 ODE. On December 10, 2021, Lee resigned his position with the DDS.

9
10 IT IS SO STIPULATED:

11 
12 Benjamin D. Lee

11 01/07/23
12 Date

13 
14 Trent Danowski, Deputy Director
15 Teacher Standards and Practices Commission

13 01/12/2023
14 Date

16
17 **CONCLUSIONS OF LAW**

18 Benjamin D. Lee's conduct as described in section three (3) above, constitutes gross
19 neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates
20 OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0025(2)(e) (*Using district*
21 *lawful and reasonable rules and regulations*) and OAR 584-020-0030(2)(b) (*Skill in*
22 *communicating with administrators, students, staff, parents, and other patrons*); and OAR
23 584-020-0040(4)(o) as it incorporates, OAR 584-020-0035(1)(c)(A) (*Not demonstrating or*
24 *expressing professionally inappropriate interest in a student's personal life*); and OAR 584-
25 020-0035(1)(c)(D) (*Honoring appropriate adult boundaries with students in conduct and*
26 *conversations at all times*).

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

29
30 **FINAL ORDER**

31 The Commission hereby adopts and incorporates herein the above findings of fact and
32 conclusions of law, and based thereon, imposes a suspension of Lee's Right to Apply for an
33 Oregon Educator License for a period of ninety (90) days.

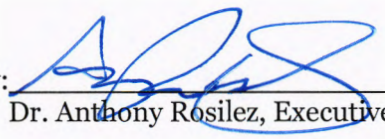
34 Furthermore, the Commission imposes a period of one (1) year of Probation to begin

1 upon the issuance to Lee of an Oregon teaching license and subject to the following conditions:

- 2 1. Lee shall comply with the Standards for Competent and Ethical
3 Performance of Oregon Educators under Oregon Administrative Rules
4 Chapter 584, Division 020.
5 2. Prior to application for licensure, Lee shall take a Commission approved training
6 course specifically related to teacher/student boundaries and Lee shall provide the
7 Commission evidence of his successful completion.

8
9 Issued and dated this 3 day of February, 2023.

10
11 **TEACHER STANDARDS AND PRACTICES COMMISSION**
12 **STATE OF OREGON**

13
14
15 By: 
16 Dr. Anthony Rosilez, Executive Director
17

18
19
20 **NOTICE OF APPEAL OR RIGHTS**

21
22 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE
23 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF
24 THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO
25 THE OREGON COURT OF APPEAL