

- 1 2. On November 15, 2012, the Commission received a complaint from the
2 administration of the South Umpqua School District indicating Pons may have
3 committed acts which constitute gross neglect of duty. An investigation determined
4 that during the time of March 2012 and August 2012:
- 5 a) Pons exchanged inappropriate communications with a female student via cell
6 phone and text messages, including exchanging photos/videos.
 - 7 b) Pons provided this student with unearned and preferential credits to assist her in
8 meeting graduation requirements.
 - 9 c) Pons met with the student in person, outside of school, and engaged in physical
10 contact that included inappropriate touching and kissing. This included taking
11 the student on a trip over a weekend where Pons and the student shared a bed
12 and cuddled together.
 - 13 d) Pons gave the student overly personal gifts.
- 14
- 15 3. Pons refused to comply with multiple requests by the Commission to meet with their
16 investigator to be interviewed and / or provide documents as required.
- 17 4. On November 19, 2012, Pons resigned from employment with the South Umpqua
18 School District.

19 CONCLUSIONS OF LAW

20 Pons' conduct described in section two (2) above constitutes gross neglect of duty in
21 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-
22 0010(5) (*Use professional judgment*); OAR 584-020-0040(4)(o) as is incorporates OAR
23 584-020-0035(1)(c)(A) (*Not demonstrating or expressing professionally inappropriate*
24 *interest in a student's personal life*), OAR 584-020-0035(1)(c)(B) (*Not accepting or giving*
25 *or exchanging romantic or overly personal gifts or notes with a student*), OAR 584-020-
26 0035(1)(c)(D) (*Honoring appropriate adult boundaries with students in conduct and*
27 *conversation at all times*); and OAR 584-020-0040(4)(f) (*Any sexual conduct with a*
28 *student*). The Commission may rely on the definitions of sexual conduct in ORS 339.370(9)
29 and OAR 584-020-0005(5).

30
31 Pons' conduct described in section three (3) above constitutes gross neglect of duty in

1 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(p) (*Subject to the exercise of any*
2 *legal right or privilege, failure or refusal by an educator under investigation to respond to*
3 *requests for information, to furnish documents or to participate in interviews with a*
4 *Commission representative relating to a Commission investigation).*

5
6 The Commission's authority to impose discipline in this matter is based upon ORS
7 342.175.

8
9 **FINAL ORDER**

10 The Commission hereby revokes Kenneth Scott Pons' Educator License.

11 IT IS SO ORDERED THIS 11th day of February, 2014.

12 TEACHER STANDARDS AND PRACTICES COMMISSION



13 By: _____
14 Victoria Chamberlain, Executive Director

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16 **NOTICE OF APPEAL OR RIGHTS**

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

CERTIFICATE OF MAILING

I hereby certify that I served the foregoing notice of final order, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

Kenneth Scott Pons
2644 NW SKylee Dr Apt 4
Roseburg, OR 97471-1954

Dated this 11th day of February, 2014.

By: *Patty Liddell*
Patty Liddell
Investigative Assistant