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BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION  
OF THE STATE OF OREGON

In the Matter of the ) STIPULATION OF FACTS AND  
Educator License of: ) FINAL ORDER OF SUSPENSION  
) AND PROBATION  
JAMES DOUGLAS EIDE )

On February 19, 2010, the Commission received a report from Portland Public Schools indicating that Eide may have engaged in conduct constituting Gross Neglect of Duty.

After review of the matters alleged, Eide and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts and a six-month suspension of Eide’s teaching license in the State of Oregon, plus a 4 year period of probation and boundaries training.

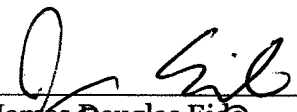
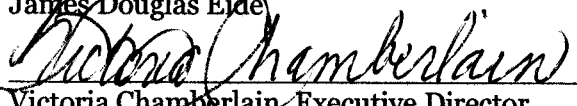
By signing below, Eide acknowledges, understands, stipulates, and agrees to the following: (i) he has been fully advised of his rights to notice and a hearing to contest the findings of fact, conclusions of law, and order set forth below, and fully and finally waives all such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Suspension (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to the public upon request by the Commission; (iii) this Stipulation and Final Order is contingent upon and subject to approval and adoption by the Commission. If the Commission does not approve and adopt this Stipulation and Final Order, then neither Eide nor the Commission are bound by the terms herein; (iv) he has fully read this Stipulation and Final Order, and understands it completely; (v) he voluntarily, without any force or duress, enters into this Stipulation and Final Order and consents to issuance and entry of the Stipulated Final Order below; (vi) he states that no promise or representation has been made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an attorney regarding this Stipulation and Final Order and has been fully advised with regard to his rights thereto, or waives any and all rights to consult with an attorney prior to entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order below.

**STIPULATION OF FACTS**

1. Eide has been licensed by the Commission since July 2, 2004. He currently holds an Initial II Teaching License issued January 9, 2008, with endorsements in Multiple Subjects (MIDLVL) and Music (ML/HS), which was scheduled to expire on January

- 1 8, 2011 but the expiration was pended due to the investigation of these allegations.  
 2 Eide made timely application for renewal of this license.
- 3 2. Between November 10, 2009 and January 10, 2010, Eide and a middle school  
 4 student exchanged over 400 electronic communications including text messages,  
 5 instant messaging, and Facebook messages. Many of these communications were  
 6 unrelated to school programs or class work, and some were sent after school hours  
 7 late at night, on weekends and holidays.
- 8 3. Some of the messages Eide sent to the student included content of an overly personal  
 9 nature unrelated to school programs or school work, including referring to her as a  
 10 his chatting buddy; asking her why she was no longer on line; talking to her about  
 11 her relationships with her parents and another male student.
- 12 4. Eide gave the student a birthday card for her 14<sup>th</sup> birthday on or around January 11,  
 13 2010 with a message that read as follows: *"Happy Birthday to my favorite girl ever!  
 14 I am so proud of you. You have worked so hard this year. You're a beautiful girl  
 15 inside and out. I have always appreciated how sincere and thoughtful you are. I  
 16 love ya kid! Eide"*

17  
 18 IT IS SO STIPULATED:

19		
20	_____	<u>10-2-2013</u>
21	James Douglas Eide	Date
22		
23	_____	<u>10-16-13</u>
24	Victoria Chamberlain, Executive Director	Date
25	Teacher Standards and Practices Commission	

26 **CONCLUSIONS OF LAW**

- 27 1. By engaging in the conduct in paragraph 2, Eide committed Gross Neglect of  
 28 Duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it  
 29 incorporates OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-  
 30 0030(b) (*Skill in communicating with administrators, students, staff, parents,  
 31 and other patrons*); OAR 584-020-0040(4)(o) as is incorporates OAR 584-020-  
 32 0035(1)(b) (*Refrain from exploiting professional relationships with any student  
 33 for personal gain, or in support of persons or issues*), OAR 584-020-

- 1           0035(1)(c)(A) (*Not demonstrating or expressing professionally inappropriate*  
2           *interest in a student's personal life*), and OAR 584-020-0035(1)(c)(B) (*Not*  
3           *accepting or giving or exchanging romantic or overly personal gifts or notes*  
4           *with a student*).
- 5           2. By engaging in the conduct in paragraph 3, Eide committed Gross Neglect of  
6           Duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it  
7           incorporates OAR 584-020-0010(5) (*Use professional judgment*); OAR 584-  
8           020-0040(4)(o) as is incorporates OAR 584-020-0035(1)(b) (*Refrain from*  
9           *exploiting professional relationships with any student for personal gain, or in*  
10           *support of persons or issues*), OAR 584-020-0035(1)(c)(A) (*Not demonstrating*  
11           *or expressing professionally inappropriate interest in a student's personal life*),  
12           and OAR 584-020-0035(1)(c)(B) (*Not accepting or giving or exchanging*  
13           *romantic or overly personal gifts or notes with a student*).
- 14           3. By engaging in the conduct in paragraph 4, Eide committed Gross Neglect of  
15           Duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it  
16           incorporates OAR 584-020-0010(5) (*Use professional judgment*); OAR 584-  
17           020-0040(4)(o) as is incorporates OAR 584-020-0035(1)(b) (*Refrain from*  
18           *exploiting professional relationships with any student for personal gain, or in*  
19           *support of persons or issues*), OAR 584-020-0035(1)(c)(D) (*Honoring*  
20           *appropriate adult boundaries with students in conduct and conversation at all*  
21           *times*), and OAR 584-020-0035(1)(c)(A) (*Not demonstrating or expressing*  
22           *professionally inappropriate interest in a student's personal life*), and OAR 584-  
23           020-0035(1)(c)(B) (*Not accepting or giving or exchanging romantic or overly*  
24           *personal gifts or notes with a student*).
- 25           4. The Commission's authority to impose discipline in this matter is based upon  
26           ORS 342.175.

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**ORDER**

1. Based on the foregoing, the Commission hereby suspends Mr. Eide's teaching license for six months beginning the date that this order is signed by the Executive Director below.
2. As part of any license reinstatement application, Mr. Eide must provide proof of successful completion of a professional boundaries training class approved by the Commission.
3. The Commission further places Mr. Eide on probation for a period of 4 years beginning the date that he reinstates his suspended license. During the period of probation, Mr. Eide will follow the standards set by TSPC and state law for Oregon.
4. Violation of any term or condition of probation shall constitute an independent basis for the Commission to revoke Mr. Eide's teaching license or otherwise impose discipline, after first providing Mr. Eide with notice and opportunity for hearing.

Issued and dated this 17<sup>th</sup> day of November, 2013.

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

By   
Victoria Chamberlain, Executive Director