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## BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION Teacher Standards &

OF THE STATE OF OREGON

**Practices Commission** 

3	In the Matter of the	)	STIPULATION OF FACTS, FINAL ORDER
4	Teaching License of	)	OF REVOCATION, AND REVOCATION OF
5	IOSHIIA E HEAD	)	RIGHT TO APPLY FOR LICENSE

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On or about November 7, 2011, the Teacher Standards and Practices Commission (Commission) received a report from a patron of the Lebanon School District, indicating that the patron had been the victim of a crime committed by licensed educator Joshua Head (Head) in 2006. On April 4, 2012, Head pled guilty to two counts of sex abuse in the third degree, ORS 163.415, a class A Misdemeanor.

After review of the matters alleged, Head and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts, Revocation of Head's Oregon Teaching License, and the Revocation of Head's Right to Apply for Licensure, as mandated by ORS 342.175(3); ORS 342.143(3); and OAR 584-020-0040(1)(m).

This document sets forth the facts upon which the parties have agreed and the stipulated sanction to be imposed. Head stipulates that there is sufficient evidence in the Commission's files and records to support the findings of fact, conclusions of law, and order set forth below.

By signing below, Head 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 Surrender and Revocation of Licensure (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 Head nor the Commission are bound by the terms

1 herein; (iv) he has fully read this Stipulation and Final Order, and understands it completely; (v) 2 he voluntarily, without any force or duress, enters into this Stipulation and Final Order and 3 consents to issuance and entry of the Stipulated Final Order below; (vi) he states that no 4 promises or representation has been made to induce him to sign this Stipulation and Final 5 Order; and (vii) he has consulted with an attorney regarding this Stipulation and Final Order 6 and has been fully advised with regard to his rights thereto, or waives any and all rights to 7 consult with an attorney prior to entering into this Stipulation and Final Order and issuance and 8 entry of the Stipulated Final Order below. This Order sets forth the facts upon which the parties 9 have agreed and the sanction to be imposed. Head stipulates that there are sufficient facts 10 contained in the Commission's files and records to support the findings of fact and conclusions 11 of law set forth below. In entering into this stipulation, Head waives the right to a hearing to 12 contest the findings of fact, conclusions of law and order set forth below. 13 STIPULATION OF FACTS 14 1. The Commission has licensed Head since August 28, 2004. Head currently holds an 15 Initial I Teaching License with an endorsement in Music (ML/HS) issued June 3, 2011, 16 that expires on August 28, 2014. During all relevant times, Head was employed by the 17 Lebanon School District. 18 2. On April 4, 2012, Head pled guilty to two counts of Sexual Abuse in the Third Degree 19 (ORS 163.415), a class A misdemeanor. 20 3. The above cited conviction arose from conduct between February 6, 2006, and February 21 5, 2007, where Head subjected a student, under the age of 18, to sexual contact. 22 111 111 23 24 111 25 111 26 111

1	IT IS SO STIPULATED:		
2	Joshuz DHead Date Date		
4 5 6	Victoria Chamberlain, Executive Director Teacher Standards and Practices Commission  9-6-12  Date		
7	CONCLUSION OF LAW		
8	Joshua E. Head subjected a student, under the age of 18, to sexual contact. Head was		
9	subsequently convicted of two counts of Sexual Abuse in the Third Degree (ORS 163.415), a class		
10	A misdemeanor listed in ORS 342.143. Head's criminal conviction constitutes gross neglect of		
11	duty in violation of ORS 342.175(3);, OAR 584-020-0040(4)(n) as it incorporates OAR 584-		
12	020-0010(5) (Use professional judgment); and OAR 584-020-0040(1)(m) (ORS 163.415 -		
13	Sexual Abuse in the Third Degree). This conduct also constitutes gross unfitness in violation of		
14	ORS 342.175(1)(b); OAR 584-020-0040(5)(e) (Admission of or engaging in acts constituting		
15	criminal conduct, even in the absence of a conviction). Head's conduct underlying his		
16	conviction constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-		
17	0040(4)(n) as it incorporates OAR 584-020-0010(5) (Use professional judgment); OAR 584-		
18	020-0040(4)(k) (knowing violation of any rule or order of the Commission); Oar 584-020-		
19	0040(4)(f)(Any sexual conduct with a student); OAR 584-020-0040(4)(0) as it incorporates		
20	OAR 584-020-0035(3)(a)(Maintain the dignity of the profession by respecting and obeying the		
21	law, exemplifying personal integrity and honesty).		
22	The Commission's authority to impose discipline in this matter is based upon ORS		
23	342.175.		
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2	The Commission adopts the above Stipulation of Facts, permanently revokes Joshua
3	Head's Teaching License, and permanently revokes Joshua Head's right to apply for a license.
4	IT IS SO ORDERED this 5 <sup>th</sup> day of November, 2012.
5	TEACHER STANDARDS AND PRACTICES COMMISSION
6	A COM
7	By: Julana Kamberlain
8	Victoria Chamberlain, Executive Director