1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON STIPULATION OF FACTS AND 3 In the Matter of the FINAL ORDER OF SUSPENSION 4 **Educator License of**) OF RIGHT TO APPLY AND PROBATION 5) JUSTIN MICHAEL PRUNK On or about March 14, 2014, the Teacher Standards and Practices Commission 6 7 (Commission) received information relating to Justin Michael Prunk (Prunk). 8 After review of the matters alleged, Prunk and the Commission agree that their 9 respective interests, together with the public interest, are best served by a stipulation to certain 10 facts, the imposition of a one (1) year suspension of Prunk's right to apply for an Oregon 11 educator license followed by four (4) years of probation upon reinstatement. This document sets forth the facts upon which the parties have agreed and the stipulated 12 sanction to be imposed. Prunk stipulates that there is sufficient evidence in the Commission's 13 14 files and records to support the findings of fact, conclusions of law, and order set forth below. By signing below, Prunk acknowledges, understands, stipulates, and agrees to the 15 following: (i) he has been fully advised of his rights to notice and a hearing to contest the 16 17 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 18 19 Order of Suspension of Right To Apply and Probation (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to the public upon request by the 20 Commission; (iii) this Stipulation and Final Order is contingent upon and subject to approval 21 and adoption by the Commission. If the Commission does not approve and adopt this 22 Stipulation and Final Order, then neither Prunk nor the Commission are bound by the terms 23 herein; (iv) he has fully read this Stipulation and Final Order, and understands it completely; (v) 24 he voluntarily, without any force or duress, enters into this Stipulation and Final Order and 25 consents to issuance and entry of the Stipulated Final Order below; (vi) he states that no 26 promises or representation has been made to induce him to sign this Stipulation and Final 27

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. In entering into this stipulation, Prunk waives the right to a hearing to contest the findings of fact, conclusions of law and order set forth below.

STIPULATION OF FACTS

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- 1. The Commission has licensed Justin Michael Prunk since August 24, 2004. Prunk's current Initial I Teaching License, with an endorsement in Music (ML/HS, ECE/ELE L), is valid from August 10, 2012, thru March 20, 2015. During all relevant times Prunk served as a teacher with the Reynolds School District.
- 2. On March 14, 2014, the Commission received a report from the Reynolds School District indicating Prunk was subject to multiple school district complaints and investigations regarding allegations of inappropriate conduct with students. On March 21, 2014, the Commission received a patron complaint alleging that Prunk had engaged in inappropriate relationships with students, including inappropriate communications and unethical crossing of student / teacher boundaries. Investigation determined that during the 2012-2013 school year, Prunk inappropriately communicated with female students BH, BC, MB, and NJvia text messages. Prunk's texting of these students was excessive, including hundreds of text messages to each student and over one thousand to student BH. Prunk's communications took place both during school hours, during teaching time, and after school hours; including early mornings and late evenings. Prunk also shared overly personal information with one student regarding Prunk's failing marriage and related family information. In September 2013, Reynolds School District issued Prunk a letter of expectation concerning his use of text messages, instructing him in the future to ensure that all electronic contact with students be related to school business and activities, and occur at reasonable times during the day.

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	3 IT IS SO STIPULATED:		
	5 Justin Michael Prunk	$\frac{3/31/15}{\text{Date}}$	
	6 Julia hamberlain	4-2-15	
9	 Victoria Chamberlain, Executive Director Teacher Standards and Practices Commission 	Date	
10	CONCLUSION OF LAW		
11	Justin Michael Prunk's conduct as described a	bove, constitutes gross neglect of duty in	
12	violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-		
13	0010(5) (Use professional judgment), OAR 584-020-0025(2)(e)(Using district lawful and		
14	reasonable rules and regulations); OAR 584-020-0040(4)(0) as it incorporates OAR 584-020-		
15	0035(1)(b)(Refrain from exploiting relationships with any student for personal gain, or in		
16	support of persons or issues), OAR 584-020-0035(1)(c)(A) (Not demonstrating or expressing		
17	professionally inappropriate interest in a student's personal life), OAR 584-020-0035(1)(c)(B)		
18	(Not accepting or giving or exchanging romantic or overly personal gifts or notes with a		
19	student); and OAR 584-020-0035(1)(c)(D) (Honoring appropriate adult boundaries with		
20	students in conduct and conversations at all times).		
21	The Commission's authority to impose discipline in this matter is based upon ORS		
22	342.175.		
23	ORDER		
24	The Commission hereby adopts and incorpora	ates herein the above stipulation of facts,	
25	conclusions of law, and based thereon hereby imposes	s a one (1) year suspension upon Prunk's	
26	right to apply for an Oregon educator license as follows:		
27	Justin Michael Prunk's right to apply for an O	regon educator license is hereby suspended	
28	for one (1) year following the adoption of this order.		
29	Prior to reinstatement, Prunk must provide a favorable psychological evaluation report		
30	from a pre-approved provider, meeting commission standards for such evaluations.		

1	Prior to reinstatement, Prunk must fully qualify for the Initial II Teaching License or the	
2	equivalent license as required by rule.	
3	Prior to reinstatement, Prunk must appear before the Commission to answer any	
4	questions of the Commission.	
5 6	Furthermore, the Commission imposes four (4) years of probation upon Prunk to commence upon reinstatement of his license and subject to the following terms and conditions	
7	of probation:	
8 9 10 11 12 13 14 15 16	 Prunk shall comply with the Standards for Competent and Ethical Performance of Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020. Prunk will comply with any recommended counseling, training, or other such requirement (if any) as may be determined/recommended by the psychological evaluation report. Prunk will supply written proof of such compliance to the Commission within the first year of his probation period. 	
17	Violation of any term or condition of probation shall constitute an independent basis for the	
18	Commission to revoke Prunk's educator license or otherwise impose discipline, after first	
19 20	providing Prunk with notice and opportunity for hearing.	
21		
22	IT IS SO ORDERED this 10th day of 15.	
23	TEACHER STANDARDS AND PRACTICES COMMISSION	
24 25	By: Willow Chamberlain	
26	Victoria Chamberlain, Executive Director	

CERTIFICATE OF MAILING

I HEREBY CERTIFY that I served the foregoing Stipulation of Facts and Final Order of Suspension of Right to Apply and Probation, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail — Return Receipt Requested, addressed to:

> Justin Michael Prunk 22148 NE Park Lane Fairview, OR 97024-3780

DATED this ________ day of April, 2015.

By: Satty Liddelf

Investigative Assistant

DO: Liddell