BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 1 OF THE STATE OF OREGON 2 3 STIPULATION OF FACTS AND In the Matter of the FINAL ORDER OF REPRIMAND 4 **Educator License of**) 5 AND PROBATION) LUKE ROBERT HOTCHKISS 6 On December 16, 2016, the Teacher Standards and Practices Commission 7 (Commission) received reports from the Portland Public School District and the 8 Department of Human Services (DHS) alleging professional misconduct on the part of 9 licensed educator, Luke Robert Hotchkiss (Hotchkiss). 10 After review of the matters alleged, Hotchkiss and the Commission agree that 11 their respective interests, together with the public interest, are best served by a 12 stipulation to certain facts and the imposition of a public reprimand and a one year 13 14 probation period. By signing below, Hotchkiss acknowledges, understands, stipulates, and agrees to 15 the following: (i) he has been fully advised of his rights to notice and a hearing to contest 16 the findings of fact, conclusions of law, and order set forth below, and fully and finally 17 waives all such rights and any rights to appeal or otherwise challenge this Stipulation of 18 Facts and Final Order of Reprimand and Probation (Stipulation and Final Order); (ii) 19 this Stipulation and Final Order is a public document and disclosed to the public upon 20 request by the Commission; (iii) this Stipulation and Final Order is contingent upon and 21 subject to approval and adoption by the Commission. If the Commission does not 22 approve and adopt this Stipulation and Final Order, then neither Hotchkiss nor the 23 Commission are bound by the terms herein; (iv) he has fully read this Stipulation and 24 Final Order, and understands it completely; (v) he voluntarily, without any force or 25 duress, enters into this Stipulation and Final Order and consents to issuance and entry of 26 the Stipulated Final Order below; (vi) he states that no promise or representation has 27 been made to induce him to sign this Stipulation and Final Order; and (vii) he has 28 consulted with an attorney regarding this Stipulation and Final Order and has been fully 29 advised with regard to his rights thereto, or waives any and all rights to consult with an 30 attorney prior to entering into this Stipulation and Final Order and issuance and entry of 31 32 the Stipulated Final Order below. STIPULATION OF FACTS 33 1. Luke Robert Hotchkiss has been licensed by the Commission since September 17, 2013. 34 Hotchkiss's Career and Technical Education II Teaching License, with an endorsement in 35 Industrial and Engineering Systems: Construction Technology (CTE), is valid from 36

- September 18, 2016, through February 27, 2020. During all relevant times, Hotchkiss was employed by the Portland Public School District.
- 2. On December 16, 2015, the Commission received reports of possible misconduct on Hotchkiss' part, from both the Oregon Department of Human Services (DHS) and the Portland Public School District. These reports alleged Hotchkiss had kicked a stool out from underneath a student. Investigation determined that on December 7, 2015, Hotchkiss was attempting to start a dialogue with his students about the importance of treating each other with respect, in order to address some students' pattern of disruptive classroom behavior. A student responded disrespectfully, and in an attempt to redirect and get that student's attention, Hotchkiss kicked the foot of the stool the student was seated on. As a result, the student fell and hit his tailbone and head, causing minor pain. The stool struck another nearby student in the leg causing a bruise. Hotchkiss immediately recognized that his conduct was inappropriate. On December 11, 2015, Hotchkiss apologized for his conduct to the class and made a separate apology to the student and his parent in private. DHS cross-reported to law enforcement who took no legal action regarding Hotchkiss' conduct. The school district issued Hotchkiss a final warning and a five day suspension without pay. Hotchkiss completed several counseling sessions designed to assist with effectively dealing with stressful situations. Hotchkiss also voluntarily and on his own initiative worked with his administrators to improve his classroom management.

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Luke Robert Hotchkiss	Date
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Dr. Monica Beane, Executive Director Teacher Standards and Practices Commission

IT IS SO STIPULATED:

Date

CONCLUSION OF LAW

Luke Robert Hotchkiss' conduct as described above, violates professional standards. Hotchkiss's conduct constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(1) (Recognize the worth and dignity of all persons and respect for each individual), OAR 584-020-0010(5) (Use professional judgment), OAR 584-020-0020(2)(d) (Skill in the supervision of students), OAR 584-020-0025(2)(a) (Establishing and maintaining classroom management that is conducive to learning); and OAR 584-020-0040(4)(d) (Unreasonable physical force against students, fellow employees, or visitors to the school. except as permitted under ORS 339.250).

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

ORDER

Based on the foregoing, the Commission hereby orders as follows:

- The Commission adopts and incorporates herein the above findings of fact and conclusions of law, and based thereon, imposes a Public Reprimand on Luke Robert Hotchkiss' educator license(s);
- 2. Hotchkiss is hereby placed on probation for a period of one (1) year from the date this order is signed by the Commission subject to the following conditions:
 - a. Hotchkiss shall comply with the Standards for Competent and Ethical Performance of Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020.

Issued and dated this 7th day of April , 20 17.

TEACHER STANDARDS AND PRACTICES COMMISSION STATE OF OREGON

By Monica Beane

Dr. Monica Beane, Executive Director