1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON In the Matter of the STIPULATION OF FACTS AND 3 4 **Educator License of** FINAL ORDER OF 5 REPRIMAND 6 MICHAEL JEROME GRACE 7 8 On or about April 19, 2011, the Teacher Standards and Practices Commission 9 (Commission) received a report from the Linn Benton Lincoln Education Service District 10 that Mr. Grace was under investigation for possible misconduct. 11 After review of the matters alleged, Grace and the Commission agree that their 12 respective interests, together with the public interest, are best served by a stipulation to 13 certain facts, the imposition of a public reprimand. This stipulation fully resolves the 14 allegations of the Commission's Notice of Opportunity for Hearing issued on April 6, 15 2012. 16 By signing below, Grace acknowledges, understands, stipulates, and agrees to the 17 18 findings of fact, conclusions of law, and order set forth below, and fully and finally 19 20

following: (i) he has been fully advised of his rights to notice and a hearing to contest the waives all such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Reprimand (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 Grace 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.

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STIPULATION OF FACTS

- Mr. Grace has been licensed by the Commission since July 1, 1972. He currently holds a Standard Teaching License, with an endorsement in Standard Elementary, issued on April 5, 2010 and valid through April 4, 2015. During all relevant times Grace were employed by the Linn Benton Lincoln Education Service District (LBLESD) as a teacher at the Oak Creek Youth Correctional Facility (OCYCF).
 - 2. Beginning around January 2010, Mr. Grace was subject to investigation by the LBLESD and TSPC regarding potential boundary violations with students at the correctional institution. After the investigation the LBLESD issued Mr. Grace a letter of reprimand and a letter of direction. Mr. Grace was also provided with training involving professional boundaries, supervision, bullying and intimidation for his work in the Three Lakes High School (a correctional institution).
 - 3. On or about April 2011, the LBLESD, OYA and the OSP conduct an additional investigation into a student complaint. The investigations disclosed that the allegation was not founded, but uncovered that Mr. Grace had not followed prior instruction on the use of touch and supervision at the Three Lakes High School.
 - 4. Video footage of his classroom disclosed evidence that Mr. Grace did not actively supervise a supply cart as instructed by prior training, touched students on the back or shoulder area, and that a student hugged Mr. Grace, but that Mr. Grace did not report the touching.

IT IS SO STIPULATED:

26 Wichael Jerome Grace 27 Michael Jerome Grace

Victoria Chamberlain, Executive Director

Teacher Standards and Practices Commission

Date

1	CONCLUSION OF LAW
2	1. By engaging in the conduct in paragraph 4 above, Mr. Grace committed gross
3	neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it
4	incorporates OAR 584-020-0010(5) (Use professional judgment), and OAR 584-
5	020-0025(2)(e) (Using district lawful and reasonable rules and regulations
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7	ORDER
8	The Commission hereby adopts and incorporates herein the above findings of
9	fact, conclusions of law, and based thereon hereby imposes a public reprimand on
0	Michael Grace.
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2	Issued and dated this 3 day of Homany 2014.
13	TEACHER STANDARDS AND PRACTICES COMMISSION
4	STATE OF OREGON
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16	By Johns Manherlain
17	Victoria Chamberlain, Executive Director