

1 unfavorable. Subsequent investigation determined the following:

- 2 a. On April 19, 2017, Mak submitted an application for employment with the
3 SKSD. On this application, Mak listed past employment as a substitute
4 teacher with Victor Valley Union High School District (VVUHSD) in
5 California. On May 3, 2017, Mak submitted another application for
6 employment with SKSD, where Mak omitted his employment with
7 VVUHSD. SKSD's application states an applicant's complete employment
8 history is required. On the "District Background Questions" portion of
9 Mak's May 3, 2017, application Mak falsely answered "Yes" to the
10 question, "*Oregon law requires you to list ALL current and former*
11 *employers who are education providers. Have you listed ALL current*
12 *and former employers who are education providers in the experience*
13 *section of this application?"*
- 14 b. During subsequent review of Mak's past employment with VVUHSD, it
15 was learned that Mak had been removed from the substitute teacher list
16 for conduct related to possible boundary issues with a student. When
17 questioned about why Mak left this employment off of his application,
18 Mak stated he was afraid it would look bad on his application, and Mak
19 wanted to scratch off that experience, telling himself that he never worked
20 there.

21 CONCLUSIONS OF LAW

22 Kevin Don Mak engaged in unprofessional conduct as described above. This conduct
23 constitutes Gross Neglect of Duty in violation of ORS 342.175(1)(b); OAR 584-020-
24 0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*), OAR
25 584-020-0025(2)(e) (*Using district lawful and reasonable rules and regulations*); OAR
26 584-020-0040(4)(c) (*Falsification of any document or knowing misrepresentation directly*
27 *related to licensure, employment, or professional duties*); and OAR 584-020-0040(o) as it
28 incorporates OAR 584-020-0035(3)(a) (*Maintain the dignity of the profession by*
29 *respecting and obeying the law, exemplifying personal integrity and honesty*).
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1 The Commission's authority to impose discipline in this matter is based upon ORS 342.175.

2 **FINAL ORDER**

3 The Commission hereby issues a Public Reprimand upon Kevin Don Mak's Oregon
4 educator license.


5 In addition, the Commission places Mak on probation for a period of one year to
6 commence upon execution of this order. This probation period is subject to the
7 following terms and conditions:

- 8
9 1. Mak shall comply with the Standards for Competent and Ethical Performance of
10 Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020.

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12 Violation of any term or condition of probation shall constitute an independent basis
13 for the Commission to revoke Mak's Oregon educator license or otherwise impose
14 discipline, after first providing Mak with notice and opportunity for hearing.

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17 IT IS SO ORDERED THIS 22nd day of March, 2018.

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19 **TEACHER STANDARDS AND PRACTICES COMMISSION**

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21 By: 
22 Dr. Anthony Rosilez, Executive Director

23
24 **NOTICE OF APPEAL OR RIGHTS**

25
26 **YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW**
27 **MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM**
28 **THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE**
29 **PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.**