

1 After a review of the matters alleged, Mr. Santos and the Commission have agreed that
2 their respective interests, together with the public interest, are best served by a stipulation to
3 certain facts and the imposition of a period of suspension. This agreement sets forth the facts
4 upon which the parties have agreed, the sanction to be imposed, and the Commission's order.

5 **STIPULATED FACTS**

6 Mr. Santos and the Commission stipulate to the following facts:

7 1. Mr. Santos holds a standard teaching license with an endorsement in technology
8 education.

9 2. Mr. Santos has been employed as a teacher with the Klamath County School
10 District since 1980. He resigned his position with the district effective February 25, 1999.

11 3. Mr. Santos was placed on probation by the Commission in May 1998.

12 4. On September 24, 1998, Mr. Santos grabbed a student by the lip with his hand in
13 violation of his employer's directive and in violation of the district's corporal punishment policy.

14 5. On September 24 or September 25, 1998, Mr. Santos used an inappropriate and
15 obscene word in his classroom when dealing with this student.

16 6. Mr. Santos has been under treatment for depression and anger management both
17 before and since the incidents of September 24 or September 25, 1998.

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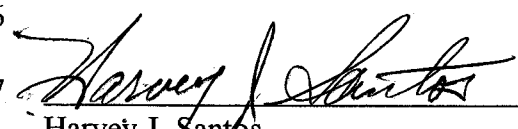
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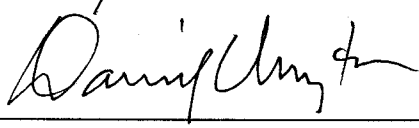
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1 This stipulation and proposed order are contingent on approval by the full Commission.
2 If the Commission does not approve this stipulation and proposed order as written, any waiver of
3 rights by Mr. Santos is revoked. The statements contained in this stipulation may not be used by
4 Mr. Santos or the Commission for any reason, should the Commission fail to approve this
5 stipulation and proposed order.

6  _____ Date 3/5/99
7 Harvey J. Santos
8

9  _____ Date 3/15/99
10 David V. Myton
11 Executive Director
12 Teacher Standards and Practices Commission

12 **CONCLUSION OF LAW**

13 Mr. Santos' conduct as described above constitutes gross neglect of duty under OAR
14 584-020-0040(4)(d) and is a violation of the conditions of his probation.

15 **ORDER**

16 The Commission suspends the Oregon teaching license of Harvey J. Santos for a period
17 beginning with the date of this order through July 31, 1999.

18 At the end of the period of suspension, Mr. Santos' teaching license shall be reinstated if he
19 provides written evidence to the Commission from his treatment provider that he has continued
20 treatment for mental health problems as recommended by the treatment provider and that in the
21 opinion of the treatment provider Mr. Santos can resume his teaching responsibilities without engaging
22 in corporal punishment or inappropriate physical contact with students. Upon reinstatement,
23 Mr. Santos shall remain on probation for a period of two years subject to the following conditions:

