1	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION		
2	OF THE STATE OF OREGON		
3	In the Matter of the Teaching License of JANICE MARIE DAVIDSON STIPULATION OF FACTS AND ORDER OF SUSPENSION		
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6	On October 2, 2000, the Teacher Standards and Practices Commission (Commission)		
7	issued a Notice of Opportunity for Hearing, proposing to suspend or revoke the Oregon Teaching		
8	License of Janice Marie Davidson or to impose other discipline under ORS 342.177. Mrs.		
9	Davidson requested a hearing to contest the allegations in the Notice. After a review of the		
10	matters alleged, Mrs. Davidson and the Commission have now agreed that their respective		
11	interests, together with the public interest, are best served by entering into a stipulation to certain		
12	facts and a new-month suspension of Mrs. Davidson's license, followed by a period of		
13	probation. In entering into this stipulation and order, Mrs. Davidson waives her right to a		
14	hearing to contest the findings of fact, conclusions of law and order set forth below.		
15	This stipulation and order is contingent upon approval by the full Commission. If the		
16	Commission does not approve the stipulation and order as written, neither Mrs. Davidson nor the		
17	Commission shall be bound by any of the statements contained herein, and Mrs. Davidson shall		
18	retain all hearing rights.		
19	STIPULATION AND FINDINGS OF FACT		
20	Mrs. Davidson denies that she has engaged in inappropriate or unprofessional conduct.		
21	However, in order to bring this matter to a close and in order to avoid additional emotional and		
22	financial to herself and others, Mrs. Davidson chooses not to contest findings of fact sufficient to		
23	support the Order set forth below. She further stipulates that there is substantial evidence in the		

- 1 files and records of the Commission to support the findings of fact contained in this order. The
- 2 Commission makes the following findings of fact:
- 3 1. Mrs. Davidson has continuously held an Oregon Teaching License since 1963.
- 2. Mrs. Davidson has served as Executive Director of the West Valley Academy since its founding in 1991. West Valley Academy is a private school and day-treatment program for emotionally disturbed children. Prior to 1991, Mrs. Davidson worked as a teacher with McMinnville Public Schools for approximately 25 years. The Commission
- 8 has received no previous complaints concerning Mrs. Davidson.
- 9 3. On about April 5, 1999, Mrs. Davidson engaged in unreasonable physical force in her interactions with a 15-year old female student.
 - 4. On about April 7, 1999, Mrs. Davidson engaged in unreasonable physical force in her interactions with an eight-year old female student.
 - 5. On about April 15, 1999, Mrs. Davidson engaged in unreasonable physical force in her interactions with an eight-year old male student.
 - 6. In late April 1999, Mrs. Davidson and the West Valley Academy School Board agreed that Mrs. Davidson would remain away from the campus and cease to have any responsibility for student discipline pending a police investigation of allegations of physical abuse of students. Subsequently, criminal charges were filed by the Polk County District Attorney based on the incidents described in paragraphs 3, 4 and 5 above. On August 6, 1999, Mrs. Davidson entered into a diversion agreement through the Polk County Circuit Court. Under the terms of the agreement, Mrs. Davidson agreed to complete 40 hours of community service, to undergo counseling through Psychologist Stephen Scherr, to participate in a training program in non-violent crisis intervention, to

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1	remain physically away from the West Valley Academy and to have no contact with
2	West Valley students during the 270-day period of the diversion agreement. As a part of
3	the agreement, Mrs. Davidson also acknowledged that she was guilty of one charge of
4	Criminal Mistreatment in the First Degree in connection with her conduct towards the
5	male student described above in Finding of Fact No. 5. Mrs. Davidson has successfully
6	completed the diversion agreement, and all criminal charges against her have been
7	dismissed.
8	7. Since completion of the diversion agreement, Mrs. Davidson has returned to her
9	position as Executive Director at the West Valley Academy. In her current position, she
10	is no longer involved with student discipline.
11	8. During the 1998-99 school year, Mrs. Davidson was experiencing a high level of
12	personal and professional distress because personal health problems, an expansion of the
13	building facilities at the Academy, and an unusually high number of children with
14	extreme needs and extreme behaviors.
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16	Janice Marie Davelson June 22, 2001.
17	Janice Marie Davidson Date
18	David V. Miton Evertila Director
19	David V. Myton, Executive Director Date
20	CONCLUSIONS OF LAW
21	1. Mrs. Davidson violated OAR 584-020-0040(4)(d) by engaging in unreasonable
22	physical force against a 15-year old female student.

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1	2.	Mrs. Davidson violated OAR 584-020-0040(4)(d) by engaging in unreasonable		
2	physical force against an eight-year old female student.			
3	3.	Mrs. Davidson violated OAR 584-020-0040(4)(d) and 584-020-0040(5)(e) by		
4		engaging in unreasonable physical force against an eight-year old male student.		
5		This conduct constituted the crime of Criminal Mistreatment in the First Degree.		
6		DISCUSSION		
7	The C	Commission views Mrs. Davidson's conduct as serious, especially since she held a		
8	position of trust and leadership and she was dealing with an especially vulnerable population of			
9	students. B	ased on this, a period of suspension is warranted. In imposing this sanction, the		
10	Commission	takes into account the following mitigating factors: Mrs. Davidson has a good		
11	reputation ar	d has attained many accomplishments in her 30 years of service as an educator. Her		
12	episodes of misconduct appears to be isolated. They occurred over a discrete period of time			
13	during the 1	998-9 school year when she was experiencing personal health problems and a high		
14	level of professional stress. Since these events, she has been regularly undergoing persona			
15	counseling with a mental health professional. And she has modified her job duties so that she is			
16	no longer involved with discipline of students.			
17		ORDER		
18	The	Oregon Teaching License of Janice Marie Davidson is suspended for a period of 6		
19	months begin	nning with the date of this order.		
20	Upor	reinstatement of her license, Mrs. Davidson shall be placed on probation to the		
21	Commission	for two years subject to the following conditions:		
22	1.	Mrs. Davidson shall not participate in the direct discipline of students, and she		
23	shall	not engage in the physical restraint of any student.		
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1	2. Mrs. Davidson shall comply with all Standards for Competent and Ethical
2	Performance of Educators under OAR 584 Division 20.
3	Violation of any term of probation may constitute an independent basis for the
4	Commission to impose discipline, up to and including revocation of the teaching license, subject
5	to Mrs. Davidson's right to a hearing on the issue of whether she violated probation.
6	DATED this of July, 2001. When
7	TEACHER STANDARDS AND PRACTICES COMMISSION
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9	By: Warm My h
10	David V. Myton, Executive Director
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