1 2	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON		
3 4 5 6 7	In the Matter of the DEFAULT ORDER Educator License of OF REVOCATION T L JOE SHEPHERD )		
8 9	On June 13, 2016, the Teacher Standards and Practices Commission (Commission)		
10	issued a Notice of Opportunity for Hearing to T L Joe Shepherd (Shepherd) in which the		
11	Commission charged him with Gross Neglect of Duty. The Notice was sent via U.S. First		
12	Class Mail and U.S. Certified Mail Receipt 7015 0640 0004 7539 7011 to the address on file		
13	with the Commission. The Notice designated the Commission file as the record for purposes		
14	of proving a prima facie case. The Certified Mail was returned signed to the Commission on		
15	June 20, 2016. The first class mail was not returned to the Commission and is assumed to		
16	have been delivered. The Notice of Opportunity of Hearing, dated June 13, 2016, and signed		
17	by Victoria Chamberlain, Executive Director, stated:		
18 19 20 21 22 23 24 25	"IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF YOU FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."		
26	Shepherd did not request a hearing. The Commission, therefore, finds Shepherd to be in		
27	default and enters the following findings of fact, conclusions of law, and final order, based		
28	on the files and records of the Commission concerning this matter.		
29	FINDINGS OF FACT		
30	1. Shepherd has been licensed as a teacher in Oregon since September 14, 1993.		
31	Shepherd currently holds a Career and Technical Education II Teaching License,		
32	with endorsements in Agricultural Science and Technology (CTE/HS) and		
33	Manufacturing Technology (CTE/HS), valid from September 5, 2013, through		
34	September 4, 2016. During all relevant times, Shepherd was employed by the North		
35	Marion School District.		
36	2. On June 9, 2014, the Commission received a complaint alleging Shepherd had		
37	engaged in "Uncomfortable student – teacher conduct". Investigation determined		

1	tha	that related complaints had also been filed and investigated at the school district level. Investigation indicated a pattern of improper conduct on Shepherd's part,		
2	lev			
3	inc	luding:		
4				
5	a.	December 2011, Shepherd and his construction students performed electrical		
6		work on the school field house without proper permits. Shepherd was disciplined		
7		with a written reprimand and one day suspension without pay for being		
8		dishonest, exposing the district to liability and fines, and setting a poor example		
9		to students.		
10				
11	b.	May 2011, Shepherd was issued a written reprimand and a day off without pay for		
12		poking a student with a stick to get him out of the shop area, leaving a red mark		
13		on the student's skin. Shepherd also inappropriately made reference to the use of		
14		a nail puller as a "Dumbass Bar" towards an instructor and in the presence of		
15		students.		
16				
17	c.	November 2011, Shepherd was issued a written reprimand for patting a student		
18		on the face with his hands and calling another student an "insubordinate ass", in		
19		the presence of other students.		
20				
21	d.	October 2012, Shepherd was issued a written reprimand and three days of unpaid		
22		leave for slapping a student on the face with his hand.		
23				
24	e.	May 2013, Shepherd was issued a written reprimand, given five days off without		
25		pay, and instructed that this was a final warning for belittling a student.		
26		Shepherd sent the student a text message calling him a "slimy weasel" and to		
27		"man up". In class, Shepherd referred to students as "jackasses" and "stupid",		
28		calling the same student "The stupidest "Last Name" you had ever met" in the		
29		presence of other students.		
30	f.	June 2014, Shepherd was issued a written reprimand and five days of unpaid leave.		
31	1.	Julie 2014, Difeplicia was issued a written reprintand and five days of anpaid leave.		

This district reprimand was for the same conduct that was reported to the

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1	Commission June 9, 2014, specifically, using pet names like "princess", "darling",		
2	and "beautiful" towards a female student making her uncomfortable. Shepherd also		
3	poked or tickled the same student in the ribs when she was blocking Shepherd's		
4	entrance to the school concession stand.		
5	·		
6	CONCLUSIONS OF LAW		
7	Shepherd's conduct described above constitutes gross neglect of duty in in violation		
8	of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(1)		
9	(Recognize the worth and dignity of all persons and respect for each individual), OAR 584		
10	020-0010(5) (Use professional judgment), OAR 584-020-0030(2)(b) (Skill in		
11	communicating with administrators, students, staff, parents, and other patrons); and		
12	OAR 584-020-0040(4)(0) as it incorporates, OAR 584-020-0035(1)(c)(D) (Honoring		
13	appropriate adult boundaries with students in conduct and conversations at all times).		
14			
15	The Commission's authority to impose discipline in this matter is based upon ORS		
16	342.175.		
17	FINAL ORDER		
18	The Commission hereby revokes T L Joe Shepherd's Educator License.		
19	IT IS SO ORDERED THIS day of August, 2016.		
20	TEACHER STANDARDS AND PRACTICES COMMISSION		
21	By: Monica Beane, Executive Director		
21 22	By: Dr. Monica Beane, Executive Director		
23			
<ul><li>24</li><li>25</li></ul>	NOTICE OF APPEAL OR RIGHTS		
26	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW		
27 28	MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE		
29	PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.		

## CERTIFICATE OF MAILING

I hereby certify that I served the foregoing notice of final order, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

T L Joe Shepherd 28201 S Barlow Rd Aurora, OR 97002-9304

Dated this

\_day of August, 2016.

PatrySheldon

**Investigative Assistant**