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BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
OF THE STATE OF OREGON

In the Matter of the) STIPULATION OF FACTS AND
Educator License of) FINAL ORDER OF REPRIMAND
KENNETH R. MCCOY) AND PROBATION

On or about July 8, 2016, the Teacher Standards and Practices Commission (Commission) received a report from the Hillsboro School District indicating possible professional misconduct on the part of licensed educator, Kenneth R. McCoy (McCoy).

After review of the matters alleged, McCoy and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts, the imposition of a Public Reprimand, and a period of probation.

This Order sets forth the facts upon which the parties have agreed and the sanction to be imposed. McCoy stipulates that there are sufficient facts contained in the Commission’s files and records to support the findings of fact and conclusions of law set forth below. In entering into this stipulation, McCoy waives the right to a hearing to contest the findings of fact, conclusions of law and order set forth below.

By signing below, McCoy acknowledges, understands, stipulates, and agrees to the following: (i) he has been fully advised of his rights to notice and a hearing to contest the findings of fact, conclusions of law, and order set forth below, and fully and finally waives all such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Reprimand and Probation (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 McCoy 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.

1 **STIPULATION OF FACTS**

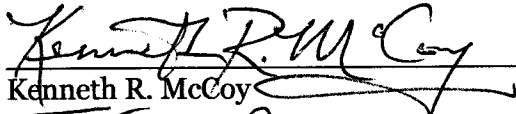
2 1. The Commission has licensed McCoy since May 31, 2000. McCoy holds a
3 Professional Teaching License, with an endorsement in Elementary - Multiple
4 Subjects (PK-12), valid from January 11, 2017 through January 20, 2022. McCoy
5 also holds an Initial Administrator License, with an endorsement in
6 Administrator (ALL LVL), valid from January 21, 2015 through January 20,
7 2018. During all relevant times, McCoy was employed by the Hillsboro School
8 District (SUSD).

9 2. On July 8, 2016, the Commission received a district report alleging McCoy had
10 violated professional standards and local policy related to student management
11 and unnecessary physical force with a student. Investigation determined the
12 following:

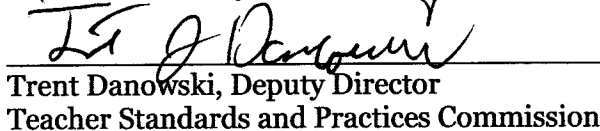
13 a. On May 2, 2016, McCoy interceded with a special education student DL,
14 who has multiple medical issues that make him susceptible to injury. DL
15 had been sent to McCoy's office for behavior issues. DL was kicking
16 furniture and attempting to kick or grab McCoy. McCoy engaged DL in an
17 attempt to deescalate, but failed to employ approved OIS protocols.
18 McCoy engaged with DL for approximately 90 minutes and repeatedly
19 had to deflect DL's hands. DL fell to the floor on multiple occasions
20 during the interaction. OIS protocol indicates that one disengage with a
21 student after 30 minutes if a student continues to escalate and / or the
22 educator is the trigger of the behavior. Approximately 30 minutes into the
23 incident, another educator offered to relieve McCoy and assume
24 responsibility for interacting with the student. However, McCoy declined
25 the offer of assistance and continued to engage with DL for another 60
26 minutes even though he recognized, on some level, that he had become a
27 trigger for DL's behavior. District review of the incident concluded that
28 McCoy's conduct violated policy, was outside required OIS protocols, and
29 that McCoy had failed to complete the required incident reporting
30 requirements in the time required by policy. As a result of McCoy's
31 conduct, the district issued McCoy a Letter of Reprimand on June 24,
32 2016. Additionally, McCoy's OIS certification was revoked, and McCoy
33 was required to complete additional training to get recertified in OIS
34 procedures.

1 b. In the course of investigating the district report to the Commission,
2 investigators discovered other incidents in which McCoy interacted with
3 special needs students that were outside OIS protocol and policy.
4

5 IT IS SO STIPULATED:

6 
7
8 Kenneth R. McCoy

8/2/18
Date

9 
10
11 Trent Danowski, Deputy Director
12 Teacher Standards and Practices Commission

8/7/18
Date

13
14 **CONCLUSION OF LAW**

15 The conduct described above constitutes gross neglect of duty in violation of ORS
16 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(1)
17 (*Recognize the worth and dignity of all persons and respect for each individual*), OAR
18 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0020(2)(d) (*Skill in the*
19 *supervision of students*), OAR 584-020-0025(2)(e) (*Using district lawful and reasonable*
20 *rules and regulations*); and OAR 584-020-0030(3)(d) (*Skill in reconciling conflict*).
21

22 The Commission's authority to impose discipline in this matter is based upon
23 ORS 342.175.
24

25 **ORDER**

26 The Commission adopts and incorporates herein the above findings of fact and
27 conclusions of law, and based thereon, imposes a Public Reprimand on Kenneth R.
28 McCoy's Oregon educator license.

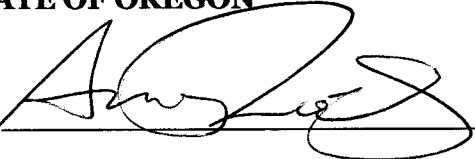
29 Furthermore, the Commission imposes a period of one (1) year of probation upon
30 McCoy's licensure to commence from the date this order is signed by the Commission
31 and subject to the following conditions:
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- 33 1. McCoy shall comply with the Standards for Competent and Ethical Performance
34 of Oregon Educators under Oregon Administrative Rules Chapter 584, Division
35 020.
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Issued and dated this 13 day of ~~June~~ ^{August}, 2018.

**TEACHER STANDARDS AND PRACTICES COMMISSION
STATE OF OREGON**

By  _____

Dr. Anthony Rosilez, Executive Director