

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 SUSPENSION
DUECE K. PHALY	)	OF RIGHT TO APPLY & PROBATION

On August 2, 2022, the Teacher Standards and Practices Commission (Commission) received information from the Oregon Department of Human Services (DHS) indicating Duece K. Phaly (Phaly) was in an inappropriate relationship with a female high school student. On October 14, 2022, the Commission received a School District Misconduct Report from the Greater Albany School District (District) alleging misconduct by Duece K. Phaly (Phaly). The District reported Phaly was given expectations to prevent further inappropriate student interactions, disregarded the expectations and continued with inappropriate student interactions.

After review of the matters alleged, Phaly and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts and the imposition of a sixty (60) day Suspension of Phaly's right to apply for an Oregon teaching license and a three (3) year period of Probation with conditions.

This Order sets forth the facts upon which the parties have agreed and the sanction to be imposed. In entering into this stipulation, Phaly waives the right to a hearing to contest the findings of fact, conclusions of law and order set forth below.

By signing below, Phaly 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 Suspension of Right To Apply for Licensure 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 Phaly 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;

1 and (vii) he has consulted with an attorney regarding this Stipulation and Final Order  
2 and has been fully advised with regard to his rights thereto, or waives any and all rights  
3 to consult with an attorney prior to entering into this Stipulation and Final Order and  
4 issuance and entry of the Stipulated Final Order below.

### 5 6 **STIPULATION OF FACTS**

- 7 1. The Commission has licensed Phaly since October 3, 2018. Phaly held a  
8 Preliminary Teaching License, with an endorsement in Advanced Mathematics  
9 (PK-12), valid from August 31, 2019, through January 3, 2023. During all relevant  
10 times, Phaly was employed by Greater Albany School District (GASD). During the  
11 2021-22 school year, Phaly served as the head coach for the South Albany High  
12 School (SAHS) wrestling team.  
13
- 14 2. On August 2, 2022, the Commission received information from DHS alleging  
15 Phaly had an inappropriate relationship with a female high school student.  
16 October 14, 2022, the Commission received a misconduct report from GASD  
17 indicating Phaly may have committed acts of gross neglect of duty and/or gross  
18 unfitness. Specifically, the GASD alleged Phaly had a pattern of minor  
19 inappropriate interactions with students and more significant interactions with a  
20 specific female student. The GASD alleged Phaly disregarded District  
21 expectations to prevent further inappropriate interactions.  
22
- 23 3. Investigation found that on June 13, 2022, the GASD issued Phaly a letter of  
24 expectations for inappropriate interactions with students. The letter was in  
25 response to behavior by Phaly since 2018 regarding Phaly's use of a school  
26 activity social media site by posting a photograph of students and making a non-  
27 activity related comment; emailing students about non-school related matters;  
28 unneeded physical contact with female members of the wrestling team during  
29 wrestling practice; and spending time on campus alone with female students. The  
30 expectations in the letter were for Phaly to be less casual with students;  
31 communication with students be limited to his role as a coach or teacher; be  
32 more judicious in comments on the school activity social media site; and to  
33 understand and adhere to professional teacher/student boundaries.  
34

1 4. Investigation found that on June 15, 2022, Phaly was alone with a female student  
2 for approximately ninety (90) minutes in the SAHS weight room. During this  
3 time the door to the weight room, which remains locked when closed, was closed  
4 and most of the lights were off. On other occasions in the 2021-22 school year,  
5 Phaly communicated in person and by text with the female student about non-  
6 school related topics; Phaly provided rides to the female student in his personal  
7 vehicle without approval from the GASD; and Phaly gave the female student a  
8 congratulatory slap on the buttocks following one of her personal bests of a  
9 competition-type weightlift. During the 2021-22 school year, Phaly was alone  
10 with the same female student and other female students on campus, which  
11 included being together in rooms with the doors closed, and Phaly allowed  
12 students to take his District issued keys to access the weight room without  
13 supervision.  
14

15 IT IS SO STIPULATED:  
16  
17

18 Duece K Phaly  
19  
20 Duece K. Phaly

12/3/2024  
Date

21  
22  
23 Cristina Edgar  
24  
25 Cristina Edgar, Director of Professional Practices  
26 Teacher Standards and Practices Commission  
27

1/22/2025  
Date

#### 28 CONCLUSION OF LAW

29 The conduct described in section four (4) above constitutes gross neglect of duty  
30 in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-  
31 020-0010(5) (*Use professional judgment*), OAR 584-020-0025(2)(e) (*Using district*  
32 *lawful and reasonable rules and regulations*), and OAR 584-020-030(2)(b) (*Skill in*  
33 *communicating with administrators, students, staff, parents and other patrons*); and  
34 OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(1)(c)(A) (*Not*  
35 *demonstrating or expressing professionally inappropriate interest in a student's*  
36 *personal life*), and OAR 584-020-0035(1)(c)(D) (*Honoring appropriate adult*  
37 *boundaries with students in conduct and conversations at all times*).

1 The Commission's authority to impose discipline in this matter is based upon  
2 ORS 342.175.

3  
4 **ORDER**

5 The Commission adopts and incorporates herein the above findings of fact and  
6 conclusions of law, and based thereon, imposes a sixty (60) day Suspension on Duece K.  
7 Phaly's Right to Apply for an Oregon teaching license.

8 Furthermore, the Commission imposes a three (3) year period of probation to  
9 commence from the reinstatement of Phaly's Oregon teaching license, and subject to the  
10 following terms and conditions of probation:

- 11  
12 1. Phaly shall comply with the Standards for Competent and Ethical Performance of  
13 Oregon Educators under Oregon Administrative Rules Chapter 584, Division  
14 O20.  
15 2. Phaly shall successfully complete a Commission approved training course on  
16 teacher/student boundaries within the first year of probation and provide  
17 evidence to the Commission of such training.

18  
19 Issued and dated this 7 day of February, 2025.

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

22  
23  
24 By  \_\_\_\_\_

25 Melissa Goff, Interim Executive Director