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

In the Matter of the Educator License of DUECE K. PHALY	)))	DEFAULT ORDER OF REVOCATION

On January 22, 2026, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Duece K. Phaly (Phaly) in which the Commission charged him with Gross Neglect of Duty and Gross Unfitness. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 9589 0710 5270 2978 6276 51 to the address found in Offender Search feature on the Oregon Department of Corrections website. The Notice designated the Commission file as the record for purposes of proving a prima facie case. The return receipt for the Notice sent Certified Mail was returned to the Commission signed on January 29, 2026. The regular First-Class mail was not returned to the Commission and assumed delivered. The Notice of Opportunity of Hearing, dated January 22, 2026, and signed by Rachel Alpert, Executive Director, stated:

> "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, WITHDRAW YOUR REQUEST FOR HEARING, IF YOU FAIL TO APPEAR AT A HEARING, OR NOTIFY THE COMMISSION THAT YOU WILL NOT APPEAR AT HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."

Phaly did not request a hearing. The Commission, therefore, finds Phaly to be in default and enters the following findings of fact, conclusions of law, and final order, based on the files and records of the Commission concerning this matter.

FINDINGS OF FACT

1. The Commission has licensed Phaly since October 3, 2018. Phaly held a Preliminary Teaching License, with an endorsement in Advanced Mathematics (PK-12), valid from August 31, 2019, through January 3, 2023. During all relevant times, Phaly was employed as a teacher by the Greater Albany Public School District (GAPS). During the 2021-22 school year, Phaly served as the head coach for the South Albany High School (SAHS) wrestling team.

2. On October 2022, the Commission opened an investigation on Phaly after receiving information from the Oregon Department of Human Services (DHS) and the GAPS reporting on teacher/student boundary concerns at SAHS. The Commission investigation found Phaly was

involved in several inappropriate interactions with female a student and found professional misconduct. On December 3, 2024, Phaly acknowledged, agreed to, and signed a final order of discipline. On February 7, 2025, the Commission issued Phaly a Suspension of the right to apply for an Oregon educator license and a three (3) year period of Probation with the condition of successfully completing a training on teacher/student boundaries.

3. On November 26, 2024, the Commission received information from the DHS alleging Phaly groomed a minor-aged female student and then engaged in sexual activities with the student beginning in June 2022 and ending in February 2024.

4. Investigation found that on December 11, 2024, law enforcement opened an investigation on Phaly after receiving allegations that Phaly sexual abused a sixteen (16) year old female student who attended SAHS during the 2021-22 school year. Law enforcement's investigation found that Phaly engaged in sexual acts with the student approximately two hundred (200) times between June 2022 and ending in February 2024.

5. On December 16, 2024, the District Attorney's office for Linn County accused Phaly of twelve (12) felony counts of Sexual Abuse in the Second Degree (ORS 163.425). On September 16, 2025, Phaly accepted a plea agreement and plead guilty to seven (7) felony counts Sexual Abuse in the Second Degree. On November 14, 2025, Phaly was convicted of seven (7) felony counts of Sexual Abuse in the Second Degree, sentenced to 240-months incarceration, required to register as a sex offender, and given five (5) years of post-prison supervision.

CONCLUSIONS OF LAW

Duece K. Phaly's criminal conviction as described in section five (5) above, constitutes gross neglect of duty in violation of ORS 342.175(3), and OAR 584-020-0040(1) (*The Commission will deny, revoke or deny the right to apply for a license or charter school registration to any applicant or educator who, has been convicted of any of the crimes listed in ORS 342.143, or the substantial equivalent of any of those crimes if convicted in another jurisdiction*), including ORS 163.687 Encouraging Child Sexual Abuse in the First Degree).

This conduct also constitutes gross unfitness in violation of ORS 342.175(1)(c); OAR 584-020-0040(5)(c) (*Conviction of violating any federal, state, or local law. A conviction includes any final judgment of conviction by a court whether as the result of guilty plea, no contest plea or any other means*); OAR 584-020-0040(5)(d) (*Commission of an act listed in OAR 584-020-0040(1)*); and OAR 584-

020-0040(5)(e) (*Admission of or engaging in acts constituting criminal conduct, even in the absence of a conviction).*

Pursuant to ORS 342.175(3) and OAR 584-020-0040(1) the Teacher Standards and Practices Commission must revoke Phaly's license and/or his right to apply for a license based on his conviction of any of the crimes listed in ORS 342.143(3)(a), or the substantial equivalent of any of those crimes, or convicted of attempt to commit such crimes as defined in ORS 161.405.

Phaly's conduct underlying his conviction, as described in section four (4) above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(f) *(Any sexual conduct with a student)* as defined by OAR 584-020-0005(8) and ORS 339.370(12)(a); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(1) *(Recognize the worth and dignity of all persons and respect for each individual),* OAR 584-020-0010(5) *(Use professional judgment).*

Additionally, Phaly's criminal conviction and conduct related to his conviction constitute "gross unfitness" in violation of ORS 342.175(1)(c); OAR 584-020-0040(3)(c) and (d) as defined by OAR 584-020-0040 (5) (*Gross unfitness is any conduct which renders an educator unqualified to perform his or her professional responsibilities).*

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

FINAL ORDER

The Commission hereby revokes Duece K. Phaly's Oregon educator license and his right to apply for an Oregon educator license.

IT IS SO ORDERED THIS 9 day of March, 2025.

TEACHER STANDARDS AND PRACTICES COMMISSION

By:_____
Rachel Alpert, Executive Director

NOTICE OF APPEAL OR RIGHTS

YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.