

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

In the Matter of the )  
Educator License of: )  
RICHARD ARNOLD DANIELS )

On or about January 15, February 2, March 5, 2015, and March 14, 2016, the Teacher Standards and Practices Commission (Commission) received reports of possible misconduct from the Crook County School District.

After review of the matters alleged, Daniels and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts and suspension of his Oregon educator license followed by a period of probation and fulfillment of specific probation requirements.

This document sets forth the facts upon which the parties have agreed and the stipulated sanction to be imposed. Daniels stipulates that there is sufficient evidence in the Commission's files and records to support the findings of fact, conclusions of law, and order set forth below.

By signing below, Daniels 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 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 Daniels 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

1 of the Stipulated Final Order below; (vi) he states that no promises or representation has been  
2 made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an  
3 attorney regarding this Stipulation and Final Order and has been fully advised with regard to his  
4 rights thereto, or waives any and all rights to consult with an attorney prior to entering into this  
5 Stipulation and Final Order and issuance and entry of the Stipulated Final Order below. This  
6 Order sets forth the facts upon which the parties have agreed and the sanction to be imposed.  
7 In entering into this stipulation, Daniels waives the right to a hearing to contest the findings of  
8 fact, conclusions of law and order set forth below.

#### 10 **STIPULATION OF FACTS**

- 11 1) The Commission has licensed Daniels since September 14, 1998. He holds a Standard Teaching  
12 License, with endorsements in Standard Language Arts (020) and Middle Level Emphasis (015),  
13 valid from July 24, 2012, through July 23, 2017. He also holds an Initial Administrator License, with  
14 an endorsement in Administrator (ALL LVL), valid from March 6, 2013, through July 23, 2016.  
15 During all relevant times, Daniels was employed by the Crook County School District
- 16 2) On January 15, 2015, the Commission received a report from the Crook County School District  
17 regarding multiple patron complaints on Daniels' grading and record keeping practices.  
18 Investigation determined that Daniels failed to grade assignments in a timely and accurate manner  
19 and that Daniels presented inaccurate grades and information about these grades during parent  
20 conferences. Audits of Daniels' grading practices indicated a variety of discrepancies, including:  
21 grades that were entered inaccurately; grades were assigned for work that was not assessed by  
22 Daniels; grades not entered in a timely manner; and having multiple students grade assignments  
23 and enter grades for Daniels. The district investigation determined Daniels to be untruthful in his  
24 responses to questions about his grading during the investigation. On December 16, 2014, Daniels  
25 was issued a written reprimand and directive regarding his grading practices.

- 1 3) In the course of investigating the district report of January 15, 2015, the Commission received  
2 another report from the school district on February 2, 2015. This report indicated that on or about  
3 December 18, 2014, Daniels pulled a student out of class and discussed which students were  
4 supportive or not supportive of Daniels in relation to the ongoing investigation of Daniels and his  
5 grading improprieties. Investigation determined that district officials had previously informed  
6 Daniels he was not to discuss district investigations with students. When questioned, Daniels stated  
7 he pulled the student out of class to discuss an assignment she had missed. Interview of the student  
8 indicated Daniels' statement was not accurate, and he had been untruthful in his responses to  
9 investigators. The district noted that Daniels had been reprimanded on December 16, 2014, and  
10 January 6, 2015, where he was specifically directed to respond to district inquiries truthfully. On  
11 January 27, 2015, the district issued Daniels another reprimand including additional directives and  
12 time off without pay.
- 13 4) On March 5, 2015, the Commission received a third report from the district regarding Daniels  
14 conduct. The district reported that Daniels had resigned employment on February 23, 2015. The  
15 district also reported that prior to his resignation, and in violation of previous directives, Daniels  
16 had contacted students via social media and questioned them about the district's ongoing  
17 investigation into his conduct. Students reported being contacted by Daniels and being asked  
18 questions about who was talking to the district and what they were saying about him.
- 19 5) On March 14, 2016, the Commission received another report from the district that Daniels had  
20 contacted former students via social media and his personal cell phone. Two students reported  
21 being contacted by Daniels. Both students had previously reported concerns about Daniels during  
22 the district's investigation leading up to his resignation in February 2015.
- 23 6) During his interview with a TSPC investigator, Daniels denied intentional misconduct but admitted  
24 to alcohol dependency problems. Daniels stated his alcohol use increased prior to his resignation  
25 from the district. Daniels stated that he voluntarily began outpatient alcohol dependency treatment  
26 in the summer of 2014 and completed a residential treatment program after his resignation from

the district. Daniels stated that he has continued to participate in outpatient alcohol dependency treatment.

IT IS SO STIPULATED:

Richard A. Daniels

Date

Dr. Monica Beane, Executive Director  
Teacher Standards and Practices Commission

Date

### CONCLUSION OF LAW

1. Richard A. Daniels' conduct as described in paragraph 2 above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); ; OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0015(2)(b) (*Skill in setting instructional goals and objectives expressed as learning outcomes*), OAR 584-020-0015(2)(e) (*Skill in the selection and use of teaching techniques conducive to student learning*), OAR 584-020-0020(2)(a) (*Multiple ways to assess the academic progress of individual students*), OAR 584-020-0020(2)(b) (*Skill in the application of assessment data to assist individual student growth*); OAR 584-020-0040(4)(c) (*Falsification of any document or knowing misrepresentation directly related to licensure, employment, or professional duties*); and OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(2)(c) (*Strive for continued improvement and professional growth*).
2. Richard A. Daniels' conduct as described in paragraph 3 above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*), (OAR 584-020-0025(2)(e) (*Using district lawful and reasonable rules and regulations*); OAR 584-020-0040(4)(c) (*Falsification of any document or knowing misrepresentation directly related to licensure, employment, or*

professional duties); and OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(1)(b) (*Refrain from exploiting professional relationships with any student for personal gain, or in support of persons or issues*).

3. Richard A. Daniels' conduct as described in paragraph 4 above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*), (OAR 584-020-0025(2)(e) (*Using district lawful and reasonable rules and regulations*); and OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(1)(b) (*Refrain from exploiting professional relationships with any student for personal gain, or in support of persons or issues*).

4. Richard A. Daniels' conduct as described in paragraph 5 above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*), (OAR 584-020-0025(2)(e) (*Using district lawful and reasonable rules and regulations*); and OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(1)(b) (*Refrain from exploiting professional relationships with any student for personal gain, or in support of persons or issues*).

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

### ORDER

The Commission hereby adopts and incorporates herein the above stipulation of facts, conclusions of law, and based thereon hereby orders as follows:

1. Daniels' teaching license is hereby suspended for one year from the date of this order;
2. Following the suspension, Daniels is placed on probation for a period of three years;
3. As conditions of probation, Daniels will comply with the following:
  - a. He will provide to the Commission confirmation of continued addiction treatment from a professional provider and participation in recommended ongoing treatment;

1 b. He will provide to the Commission confirmation of sobriety from a professional  
2 provider every six months during the period of probation;

3 c. He will comply with the Standards for Competent and Ethical Performance of  
4 Oregon Educators under Oregon Administrative Rules Chapter 584, Division  
5 020.

6 4. Violation of any term or condition of probation shall constitute an independent basis for  
7 the Commission to revoke Daniels's teaching license or otherwise impose discipline, after  
8 first providing Daniels with notice and opportunity for hearing.

9  
10 IT IS SO ORDERED this 26<sup>th</sup> day of January, 2017.

11  
12 TEACHER STANDARDS AND PRACTICES COMMISSION

13  
14 By: Monica Beane  
15 Dr. Monica Beane, Executive Director