

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

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APR 07 2016

Teacher Standards &
Practices Commission

In the Matter of the) STIPULATION OF FACTS AND
Educator License of) FINAL ORDER OF SUSPENSION
RONALD LEE BURKHART) AND PROBATION

On or about July 10, 2014, the Teacher Standards and Practices Commission (Commission) received a report from the Superintendent of the Salem-Keizer School District indicating that Ronald Lee Burkhart (Burkhart) violated professional standards and local policy by failing to report for duty and misuse of sick time.

Burkhart fully cooperated with the Commission's investigation in this matter. After review of the matters alleged, Burkhart 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 thirty (30) day suspension of Burkhart's Oregon educator license and four years of probation to commence upon reinstatement of Burkhart's Oregon educator license.

This document sets forth the facts upon which the parties have agreed and the stipulated sanction to be imposed. Burkhart 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, Burkhart 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 Burkhart 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

promises 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.

STIPULATION OF FACTS

- 1) The Commission has licensed Burkhart since September 23, 1992. Burkhart holds a Basic Teaching License with an endorsement in Basic Language Arts (027), valid from June 18, 2013, through June 17, 2016. During all relevant times, Burkhart was employed by the Salem-Keizer School District.
- 2) Investigation determined that on or about October 9, 2013, Burkhart was directed by district officials not to use any paid leave to travel to, or engage in, work for other employment. Furthermore, Burkhart was directed to report to his physical work location each work day and reminded that he was not approved to take any paid leave to umpire college softball. Records indicate that on May 22, 2014, and May 23, 2014, Burkhart used sick time (paid leave) to travel to and perform the services of umpiring a college softball game. On June 9, 2014, the Salem-Keizer School District issued Burkhart a "Letter of Reprimand" for misuse of sick time and insubordination. The letter of reprimand reiterated the aforementioned requirements and conditions.
- 3) On or about February 6, 2015, and February 27, 2015, Burkhart umpired college softball games out of state. School district records indicate that Burkhart called in sick on both those dates, in direct violation of district directives, policy and the June 9, 2014, reprimand. As a result, Burkhart elected to resign his full time employment with Salem-Keizer, and instead began to provide them substitute teaching services.

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1 Violation of any term or condition of probation shall constitute an independent basis for the
2 Commission to revoke Burkhart's educator license or otherwise impose discipline, after first providing
3 Burkhart with notice and opportunity for hearing.

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6 IT IS SO ORDERED this ^{20th} day of June, 2016.

7 TEACHER STANDARDS AND PRACTICES COMMISSION

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9 By: _____

10 Victoria Chamberlain, Executive Director