

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

In the Matter of the)
Educator License of)
T L JOE SHEPHERD)

On June 13, 2016, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to T L Joe Shepherd (Shepherd) in which the Commission charged him with Gross Neglect of Duty. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7015 0640 0004 7539 7011 to the address on file with the Commission. The Notice designated the Commission file as the record for purposes of proving a prima facie case. The Certified Mail was returned signed to the Commission on June 20, 2016. The first class mail was not returned to the Commission and is assumed to have been delivered. The Notice of Opportunity of Hearing, dated June 13, 2016, and signed by Victoria Chamberlain, 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 OR IF YOU FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE.”

Shepherd did not request a hearing. The Commission, therefore, finds Shepherd 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. Shepherd has been licensed as a teacher in Oregon since September 14, 1993. Shepherd currently holds a Career and Technical Education II Teaching License, with endorsements in Agricultural Science and Technology (CTE/HS) and Manufacturing Technology (CTE/HS), valid from September 5, 2013, through September 4, 2016. During all relevant times, Shepherd was employed by the North Marion School District.
2. On June 9, 2014, the Commission received a complaint alleging Shepherd had engaged in “Uncomfortable student – teacher conduct”. Investigation determined

1 that related complaints had also been filed and investigated at the school district
2 level. Investigation indicated a pattern of improper conduct on Shepherd's part,
3 including:
4

5 a. December 2011, Shepherd and his construction students performed electrical
6 work on the school field house without proper permits. Shepherd was disciplined
7 with a written reprimand and one day suspension without pay for being
8 dishonest, exposing the district to liability and fines, and setting a poor example
9 to students.
10

11 b. May 2011, Shepherd was issued a written reprimand and a day off without pay for
12 poking a student with a stick to get him out of the shop area, leaving a red mark
13 on the student's skin. Shepherd also inappropriately made reference to the use of
14 a nail puller as a "Dumbass Bar" towards an instructor and in the presence of
15 students.
16

17 c. November 2011, Shepherd was issued a written reprimand for patting a student
18 on the face with his hands and calling another student an "insubordinate ass", in
19 the presence of other students.
20

21 d. October 2012, Shepherd was issued a written reprimand and three days of unpaid
22 leave for slapping a student on the face with his hand.
23

24 e. May 2013, Shepherd was issued a written reprimand, given five days off without
25 pay, and instructed that this was a final warning for belittling a student.
26 Shepherd sent the student a text message calling him a "slimy weasel" and to
27 "man up". In class, Shepherd referred to students as "jackasses" and "stupid",
28 calling the same student "The stupidest 'Last Name' you had ever met" in the
29 presence of other students.
30

31 f. June 2014, Shepherd was issued a written reprimand and five days of unpaid leave.
32 This district reprimand was for the same conduct that was reported to the

Commission June 9, 2014, specifically, using pet names like “princess”, “darling”, and “beautiful” towards a female student making her uncomfortable. Shepherd also poked or tickled the same student in the ribs when she was blocking Shepherd’s entrance to the school concession stand.

CONCLUSIONS OF LAW

Shepherd’s conduct described 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(1) (*Recognize the worth and dignity of all persons and respect for each individual*), OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0030(2)(b) (*Skill in communicating with administrators, students, staff, parents, and other patrons*); and OAR 584-020-0040(4)(o) as it incorporates, OAR 584-020-0035(1)(c)(D) (*Honoring appropriate adult boundaries with students in conduct and conversations at all times*).

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

FINAL ORDER

The Commission hereby revokes T L Joe Shepherd’s Educator License.
IT IS SO ORDERED THIS 15th day of August, 2016.

TEACHER STANDARDS AND PRACTICES COMMISSION

By: Monica Beane
Dr. Monica Beane, 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.