BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION

OF THE STATE OF OREGON

3	In the Matter of the)	STIPULATION OF FACTS AND
4	Educator License of)	FINAL ORDER OF
5	JOHN H. LUHMAN)	PUBLIC REPRIMAND
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8 On July 15, 2019, the Teacher Standards and Practices Commission
9 (Commission) received information indicating professional misconduct on the part of
10 licensed educator, John H. Luhman (Luhman).

After review of the matters alleged, Luhman 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 Public Reprimand.

14 This Order sets forth the facts upon which the parties have agreed and the 15 sanction to be imposed. Luhman stipulates that there are sufficient facts contained in 16 the Commission's files and records to support the findings of fact and conclusions of law 17 set forth below. In entering into this stipulation, Luhman waives the right to a hearing to 18 contest the findings of fact, conclusions of law and order set forth below.

19 By signing below, Luhman acknowledges, understands, stipulates, and agrees to 20 the following: (i) he has been fully advised of his rights to notice and a hearing to contest 21 the findings of fact, conclusions of law, and order set forth below, and fully and finally 22 waives all such rights and any rights to appeal or otherwise challenge this Stipulation of 23 Facts and Final Order of Public Reprimand (Stipulation and Final Order); (ii) this 24 Stipulation and Final Order is a public document and disclosed to the public upon 25 request by the Commission; (iii) this Stipulation and Final Order is contingent upon and 26 subject to approval and adoption by the Commission. If the Commission does not 27 approve and adopt this Stipulation and Final Order, then neither Luhman nor the 28 Commission are bound by the terms herein; (iv) he has fully read this Stipulation and 29 Final Order, and understands it completely; (v) he voluntarily, without any force or 30 duress, enters into this Stipulation and Final Order and consents to issuance and entry of 31 the Stipulated Final Order below; (vi) he states that no promise or representation has 32 been made to induce him to sign this Stipulation and Final Order; and (vii) he has 33 consulted with an attorney regarding this Stipulation and Final Order and has been fully 34 advised with regard to his rights thereto, or waives any and all rights to consult with an

1	attorney prior to entering into this Stipulation and Final Order and issuance and entry of		
2	the Stipulated Final Order below.		
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4		STIPULATION OF FACTS	
5	1.	The Commission has licensed Luhman since March 2, 1999. Luhman previously	
6		held a Continuing Administrator License, with an endorsement in Administrator	
7		(All Grade Levels), valid from January 8, 2015, through January 22, 2020.	
8		During all relevant times, Luhman was employed by the Bethel School District	
9		(BSD).	
10	2.	On July 15, 2019, the Commission received a report from the BSD indicating	
11		Luhman may have committed acts of gross neglect of duty and/or gross	
12		unfitness. Specifically, that Luhman failed to properly conduct observations for	
13		probationary teachers and falsified teacher evaluations.	
14	3.	Investigation established a seeming pattern of poor professional judgement	
15		dating back to 2016. In late September 2016, Luhman failed to notify parents in a	
16		timely manner that their child wandered off school property during recess.	
17		Luhman was given a reprimand by the district for this. In late September 2016,	
18		Luhman shared confidential student information regarding the name of a	
19		medical facility with another student's parent. The district suspended Luhman	
20		one (1) day for this. In late February 2018, Luhman was placed on a program of	
21		assistance for perceived inconsistencies with his leadership skills, organizational	
22		skills and communication skills, though the program was not monitored by the	
23		district in the 2018-2019 school year. In March 2018, Luhman admitted using an	
24		unapproved restraint technique in an attempt to control a student exhibiting a	
25		behavioral outburst. The district suspended Luhman for three (3) days.	
26	4.	Investigation established that during the 2018-2019 school year, Luhman	
27		admitted to using informal "walk-through" observations when completing the	
28		formal evaluations for approximately five (5) probationary teachers at Clear Lake	
29		Elementary School. Luhman also signed and dated an evaluation for a day he was	
30		not present at school via an electronic database system. Luhman contended this	
31		was done inadvertently. The BSD found Luhman's misrepresentation of the	
32		observation data and his failure to properly conduct pre-observation meetings	
33		were in violation of district policies. Luhman contended such policies were not	
34		consistently applied to all administrators.	

5.	Luhman received good evaluations by superintendents during his prior fifteen
	(15) years with the district as an administrator. Luhman believed there was
	overzealous scrutiny of his performance after a new superintendent was hired.

5 IT IS SO STIPULATED: 6 7 8 John H. Luhman 9 10

10/14/2020 Date 10/14/2020

Trent Danowski, Deputy Director
 Teacher Standards and Practices Commission

15 The conduct described above constitutes gross neglect of duty in violation of ORS 16 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (Use 17 professional judgment), OAR 584-020-0010(1) (Recognize the worth and dignity of all 18 persons and respect for each individual), OAR 584-020-0020(3)(d) (Skill in the use of 19 employee and leadership techniques appropriate to the assignment and according to 20 well established standards which ensure due process for the staff for which the 21 administrator is responsible for evaluating), OAR 584-020-0025(2)(e) (Using district 22 lawful and reasonable rules and regulations), OAR 584-020-0030(2)(b) (Skill in 23 communicating with administrators, students, staff, parents, and other patrons); OAR 24 584-020-0040(4)(0) as it incorporates OAR 584-020-0035(3)(a) (Maintain the dignity) 25 of the profession by respecting and obeying the law, exemplifying personal integrity and 26 honesty); and OAR 584-020-0040(4)(c) (Falsification of any document or knowing 27 misrepresentation directly related to licensure, employment, or professional duties). 28

CONCLUSION OF LAW

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

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ORDER

The Commission adopts and incorporates herein the above findings of fact and
conclusions of law, and based thereon, imposes a Public Reprimand on John H.
Luhman's Oregon educator license.

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1	Issued and dated this day of November 2020.	
2	TEACHER STANDARDS AND PRACTICES COMMI	SSION
3	STATE OF OREGON	
4	Anda	
5	By By	
6	Dr. Anthony Rosilez, Executive Director	

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