## 1 BEFORE THE TEACHIS STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON 3 In the Matter of the STIPULATION OF FACTS AND 4 **Educator License of** ) FINAL ORDER OF SUSPENSION 5 DANLEY R. PHILLIPS 6 7 On October 10, 2019, the Teacher Standards and Practices Commission 8 (Commission) received a report from the Santiam Canyon School District (District) 9 indicating Danley R. Phillips (Phillips) may have committed an act of gross neglect of 10 duty and/or gross unfitness, specifically, that while on a school sponsored trip to 11 Ashland, Oregon, Phillips consumed alcohol prior to supervising students at a school 12 sponsored activity and then transported students to their hotel at the conclusion of the 13 activity. 14 After review of the matters alleged, Phillips and the Commission agree that their 15 respective interests, together with the public interest, are best served by a stipulation to 16 certain facts and the imposition of a thirty (30) day suspension. 17 This Order sets forth the facts upon which the parties have agreed and the 18 sanction to be imposed. Phillips stipulates that there are sufficient facts contained in the 19 Commission's files and records to support the findings of fact and conclusions of law set 20 forth below. In entering into this stipulation, Phillips waives the right to a hearing to 21 contest the findings of fact, conclusions of law and order set forth below. 22 By signing below, Phillips acknowledges, understands, stipulates, and agrees to 23 the following: (i) he has been fully advised of his rights to notice and a hearing to contest 24 the findings of fact, conclusions of law, and order set forth below, and fully and finally 25 waives all such rights and any rights to appeal or otherwise challenge this Stipulation of 26 Facts and Final Order of Suspension (Stipulation and Final Order); (ii) this Stipulation 27 and Final Order is a public document and disclosed to the public upon request by the 28 Commission; (iii) this Stipulation and Final Order is contingent upon and subject to 29 approval and adoption by the Commission. If the Commission does not approve and 30 adopt this Stipulation and Final Order, then neither Phillips nor the Commission are 31 bound by the terms herein; (iv) he has fully read this Stipulation and Final Order, and 32 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 promise or representation has been made to

induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an

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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

The Commission has licensed Phillips since November 9, 2016. Phillips holds a
Preliminary Teaching License, with an endorsement in English Language Arts
(PK-12), valid from December 28, 2020, through December 27, 2023. During all
relevant times, Phillips was employed by the Santiam Canyon School District
(SCSD).

 2. On October 10, 2019, the Commission received a report from the SCSD indicating Phillips may have committed an act which constitutes gross neglect of duty. The District reported while on a school sponsored trip to Ashland, Oregon, Phillips consumed alcohol immediately prior to supervising students at a school sponsored activity and then transported students to their hotel at the conclusion of the activity.

3. Investigation determined that September 14-16, 2019, Phillips and several other District staff chaperoned students on a school sponsored trip to Ashland, Oregon. On September 15, 2019, at approximately 5:00 PM, Phillips met with other chaperones at a restaurant and at approximately 5:30 PM, Phillips consumed a beer. Phillips then consumed another beer with his meal. Near the end of the meal, Phillips and the chaperones consumed an additional alcoholic beverage. At approximately 7:55 PM, Phillips and the chaperones walked to meet with the students at a nearby theater to watch a play. Immediately prior to the play, Phillips purchased a hard cider. Phillips consumed a small portion of the beverage, did not like the taste and eventually discarded it. At approximately 10:30 PM, the play had concluded and Phillips drove a van with student passengers back to the hotel. Several students in the van reported Phillips drove erratically. Following the SCSD's investigation, Phillips resigned, effective September 25, 2019, in lieu of termination.

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IT IS SO STIPULATED:	4, 11/11/2021
Danley R. Phillips	Date
Tot & Dynamin	11/22/2021
Trent Danowski, Deputy Director Teacher Standards and Practices Con	Date nmission

## CONCLUSION OF LAW

The conduct described section three (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) and OAR 584-020-0025(2)(e) (Using district lawful and reasonable rules and regulations).

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

## ORDER

The Commission adopts and incorporates herein the above findings of fact and conclusions of law, and based thereon, imposes a thirty (30) day suspension upon Danley R. Phillips' Oregon educator license.

Furthermore, Phillips is subject to the following conditions prior to reinstatement of his Oregon educator license:

- Phillips shall comply with the Standards for Competent and Ethical Performance of Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020.
- 2. Phillips shall successfully complete a Commission approved training course on ethics within 30 days of the adoption of this final order and provide evidence to the Commission of such training.

Issued and dated this \_\_\_\_\_ day of November, 2022,

TEACHER STANDARDS AND PRACTICES COMMISSION

STATE OF OREGON

By \_\_\_\_\_\_

Dr. Anthony Rosilez, Executive Director