1	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION					
2	OF THE STATE OF OREGON					
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4 5 6 7	In the Matter of the Educator License of NAIN G. MUNOZ)))	STIPULATION OF FACTS AND FINAL ORDER OF PUBLIC REPRIMAND AND PROBATION			
8	On October 13, 2020, the Teacher Standards and Practices Commission					
9	(Commission) received information from Greater Albany Public School District (District)					
10	alleging professional misconduct on the part of licensed educator, Nain. G. Munoz					
11	(Munoz). Specifically, the District alleged Munoz failed to enforce District directives and					
12	state orders related to COVID-19 at South Albany High School.					
13	After review of the matters alleged, Munoz and the Commission agree that their					
14	respective interests, together with the public interest, are best served by a stipulation to					
15	certain facts and the imposition of a Public Reprimand and a one (1) year period of					
16	probation.					
17	This Order sets forth the facts upor	n which t	he parties have agreed and the			
18	sanction to be imposed. Munoz 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, Munoz 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, Munoz acknowle	edges, un	derstands, stipulates, and agrees to			
23	the following: (i) he has been fully advised	l of his rig	shts to notice and a hearing to contest			
24	the findings of fact, conclusions of law, an	d order se	et forth below, and fully and finally			
25	waives all such rights and any rights to ap	peal or ot	herwise challenge this Stipulation of			
26	Facts and Final Order of Public Repriman	d and Pro	bation (Stipulation and Final Order);			
27	(ii) this Stipulation and Final Order is a pr	ublic docu	iment and disclosed to the public			
28	upon request by the Commission; (iii) this	s Stipulati	ion and Final Order is contingent			
29	upon and subject to approval and adoptio	n by the C	Commission. If the Commission does			
30	not approve and adopt this Stipulation an	d Final O	rder, then neither Munoz nor the			
31	Commission are bound by the terms herei	n; (iv) he	has fully read this Stipulation and			
32	Final Order, and understands it completely; (v) he voluntarily, without any force or					
33	duress, enters into this Stipulation and Fi	nal Order	and consents to issuance and entry of			
34	the Stipulated Final Order below; (vi) he states that no promise or representation has					
35	been made to induce him to sign this Stip	ulation ar	nd Final Order; and (vii) he has			

1	consulted with an attorney regarding this Stipulation and Final Order and has been fully			
2	advise	advised with regard to his rights thereto, or waives any and all rights to consult with an		
3	attorney prior to entering into this Stipulation and Final Order and issuance and entry of			
4	the Stipulated Final Order below.			
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6		STIPULATION OF FACTS		
7	1.	The Commission has licensed Munoz since August 21, 2012. Munoz holds a		
8		Principal License (PK-12), valid from August 2, 2019, through August 1, 2022.		
9		Munoz also holds a Preliminary Teaching License, with an endorsement in		
10		English Language Arts (PK-12), valid from August 2, 2020, through August 1,		
11		2023. During all relevant times, Munoz was employed by the Greater Albany		
12		Public School District (GAPSD).		
13	2.	On October 13, 2020, the Commission received a report from the GAPSD		
14		indicating Munoz may have committed acts of gross neglect of duty and/or gross		
15		unfitness. Specifically, the District alleged Munoz failed to enforce District		
16		directives and state orders related to COVID-19 at South Albany High School		
17		(SAHS) during the 2020 school year.		
18	3.	Investigation determined Munoz served as principal at SAHS for the 2018-19 and		
19		2019-20 school years. Prior to June 2020, the Oregon governor issued several		
20		executive orders detailing appropriate COVID-19 measures to prevent spread and		
21		protect people from getting infected with the COVID-19 virus. The measures		
22		covered the general population and K-12 schools. The GAPSD developed and		
23	-	implemented numerous safety measures for protecting school staff and students		
24		from COVID-19. Some of the district's measures were similar to or directly		
25		reflected the measures in the executive orders. District measures at the time		
26		included restricting staff and other persons from being in school buildings; a		
27		requirement for people in school buildings to be masked and maintain social		
28		distancing, and any person entering a school building was required to sign-in and		
29		provide a temperature reading, which was taken the same day and prior to		
30		entering a building.		
31	4.	On June 20, 2020, Munoz participated in a championship ring presentation		
32		ceremony. The ceremony was originally intended to be conducted outdoors on		
33		the SAHS campus grounds, but was instead held in the "Commons" area inside		
34		SAHS. The ceremony was attended by Munoz, members of the 2019-2020 SAHS		

Cheer Team, team members' parents, and the former cheer coach. As school principal, Munoz failed to get District approval for the event, permitted the event to continue indoors, did not have people sign in or record their temperatures, and Munoz did not direct unmasked attendees to don masks or maintain six (6) feet of separation.

7 IT IS SO STIPULATED:

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Teacher Standards and Practices Commission

Trent Danowski, Deputy Director

12022 Date

Date

CONCLUSION OF LAW

18 The conduct described in paragraph 4 above constitutes gross neglect of duty in 19 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-20 020-0010(5) (Use professional judgement), OAR 584-020-0025(2)(e) (Using district lawful and reasonable rules and regulations), OAR 584-020-0025(3)(a) (Leadership 21 22 skills in managing the school, its students, staff and programs as required by lawful 23 and reasonable district policies, rules, and regulations, state and federal laws and 24 regulations, and other programs as assigned, and assures that staff is informed of 25 these requirements), and OAR 584-020-0035(3)(a) (Maintain the dignity of the profession by respecting and obeying the law, exemplifying personal integrity and 26 27 honesty) The Commission's authority to impose discipline in this matter is based upon 28 29 ORS 342.175. 30 31 ORDER 32 The Commission adopts and incorporates herein the above findings of fact and conclusions of law, and based thereon, imposes a Public Reprimand on Nain G. Munoz's 33 34 Oregon educator license. 35 Furthermore, the Commission imposes a period of one (1) year probation upon 36 Munoz's license to commence from the date this order is signed by the Commission and 37 subject to the following condition:

Page 3 STIPULATION OF FACTS AND FINAL ORDER OF PUBLIC REPRIMAND AND PROBATION -NAIN G MUNOZ

1	1.	Munoz shall comply with the Standards for Competent and Ethical Performance
2		of Oregon Educators under Oregon Administrative Rules Chapter 584, Division
3		020.
4 5		Issued and dated this $\underline{14}$ day of October, 2022.
6 7 8		TEACHER STANDARDS AND PRACTICES COMMISSION STATE OF OREGON
9 10		By Dr. Anthony Rosilez, Executive Director