1	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
2	OF THE STATE OF OREGON
3 4 5 6	In the Matter of the
7	On July 29, 2021, the Teacher Standards and Practices Commission
8	(Commission) received a misconduct report from the St. Helens School District
9	(District), indicating possible professional misconduct on the part of licensed educator,
10	Dustin L. Salisbury (Salisbury).
11	After review of the matters alleged, Salisbury and the Commission agree that
12	their respective interests, together with the public interest, are best served by a
13	stipulation to certain facts and the imposition of a ninety (90) day suspension and a two
14	(2) year period of probation.
15	This Order sets forth the facts upon which the parties have agreed and the
16	sanction to be imposed. In entering into this stipulation, Salisbury waives the right to a
17	hearing to contest the findings of fact, conclusions of law and order set forth below.
18	By signing below, Salisbury acknowledges, understands, stipulates, and agrees to
19	the following: (i) he has been fully advised of his rights to notice and a hearing to contest
20	the findings of fact, conclusions of law, and order set forth below, and fully and finally
21	waives all such rights and any rights to appeal or otherwise challenge this Stipulation of
22	Facts and Final Order of Suspension and Probation (Stipulation and Final Order); (ii)
23	this Stipulation and Final Order is a public document and disclosed to the public upon
24	request by the Commission; (iii) this Stipulation and Final Order is contingent upon and
25	subject to approval and adoption by the Commission. If the Commission does not
26	approve and adopt this Stipulation and Final Order, then neither Salisbury nor the
27	Commission are bound by the terms herein; (iv) he has fully read this Stipulation and
28	Final Order, and understands it completely; (v) he voluntarily, without any force or
29	duress, enters into this Stipulation and Final Order and consents to issuance and entry of
30	the Stipulated Final Order below; (vi) he states that no promise or representation has
31	been made to induce him to sign this Stipulation and Final Order; and (vii) he has
32	consulted with an attorney regarding this Stipulation and Final Order and has been fully
33	advised with regard to his rights thereto, or waives any and all rights to consult with an
34	attorney prior to entering into this Stipulation and Final Order and issuance and entry of $% \left\{ 1,2,,n\right\}$
35	the Stipulated Final Order below.

## STIPULATION OF FACTS

The Commission has licensed Salisbury since April 27, 1999. Salisbury holds a
Principal License with endorsements in Administrator (PK-12) and Principal
(PK-12), valid from November 17, 2020, through November 16, 2023. During all
relevant times, Salisbury was employed as a principal by the St. Helens School
District (SHSD).

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2. On July 29, 2021, the Commission received a report from the SHSD indicating Salisbury may have committed acts which constitute gross neglect of duty and/or gross unfitness. Specifically, the report alleged Salisbury engaged in conduct that involved unauthorized use of a school computer.

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15 16 3. Investigation determined that on May 11, 2021, the district received a complaint from a staff member. The complaint alleged Salisbury had interactions with the female staff member over several months which made her uncomfortable and that Salisbury misrepresented information which negatively impacted the staff member's work and reputation.

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4. On May 13, 2021, Salisbury met with the superintendent of the SHSD regarding the allegations and was placed on administrative leave. Salisbury went to his office to collect his personal belongings and remained in his office for approximately one to two hours. During that time, Salisbury reported he was preparing information/instructions for school staff which he felt was necessary for staff to carry out end-of the school year activities while he was on administrative leave. Salisbury deleted some files and moved other files from his district issued computer and a district backup storage drive to his personal flash drive. On May 13, 2021, at the superintendent's request, the district's information technology director remotely conducted a search of the hard drive of Salisbury's district computer and backup storage drive at the same time Salisbury was deleting and transferring some of the files. The information technology director continued the search directly on the equipment after Salisbury left the office. This search identified numerous files, documents and images related to Salisbury's business, finances, and family. A forensic examination by an outside firm identified the same material.

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- 5. On May 18, 2021, Salisbury was asked by the superintendent about Salisbury's district computer activity immediately after being placed on administrative leave. Salisbury admitted to the superintendent he had transferred some personal files from the computer to a flash drive.
- 6. Investigation determined that during the 2020-21 school year at Lewis and Clark Elementary School, Salisbury initiated conversations with female staff members in which he discussed his personal life. Several staff members said these conversations were unwanted, made them feel uncomfortable, and were inappropriate. Several staff members asked Salisbury to stop discussing these types of personal matters with them.

IT IS SO STIPULATED:

15 Dustin L. Salisbury

Trent Danowski, Deputy Director

Teacher Standards and Practices Commission

Date

Date

## 22 CONCLUSION OF LAW

The conduct described in section four (4) 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), OAR 584-020-0025(2)(b) (Using and maintaining district property, equipment, and materials appropriately), OAR 584-020-0025(2)(e) (Using district lawful and reasonable rules and regulations); and OAR 584-020-0040(4)(q) (Unauthorized use of school electronic equipment to receive, store, produce or send sexually explicit materials).

The conduct described in section six (6) 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 584-020-0025(2)(e) (Using district lawful and reasonable rules and regulations), and OAR 584-020-0030(2)(b) (Skill in communicating with administrators, students, staff, parents, and other patrons).

1	The Commission's authority to impose discipline in this matter is based upon
2	ORS 342.175.
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4	ORDER
5	The Commission adopts and incorporates herein the above findings of fact and
6	conclusions of law, and based thereon, imposes a ninety (90) day suspension upon
7	Dustin L. Salisbury's Oregon educator license.
8	Furthermore, the Commission imposes a period of two (2) years of probation
9	upon Salisbury's licensure to commence from the date the order is signed by the
10	Commission and subject to the following conditions:
11	1. Salisbury shall comply with the Standards for Competent and Ethical
12	Performance of Oregon Educators under Oregon Administrative Rules Chapter
13	584, Division 020.
14	2. Prior to reinstatement of his license, Salisbury shall take a Commission approved
15	training course specifically related to communication skills and provide the
16	Commission evidence of his successful completion.
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19	Issued and dated this day of February, 2023.
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21	TEACHER STANDARDS AND PRACTICES COMMISSION
22	STATE OF OREGON
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25	By By
26	Dr. Anthony Rosilez, Executive Director