## 1 BEFORE THE TEACHER 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 ALEXANDRA M. LEARY AND PROBATION 6 7 On February 14, 2022, the Teacher Standards and Practices Commission 8 (Commission) received a misconduct report from the Roseburg School District (District), 9 indicating possible professional misconduct on the part of licensed educator, Alexandra 10 M. Leary (Leary). 11 After review of the matters alleged, Leary and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to 12 13 certain facts and the imposition of a thirty (30) day suspension, and a two (2) year period 14 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, Leary 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, Leary acknowledges, understands, stipulates, and agrees to the 19 following: (i) she has been fully advised of her rights to notice and a hearing to contest the findings of fact, conclusions of law, and order set forth below, and fully and finally 20 21 waives all such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Suspension and Probation (Stipulation and Final Order); (ii) 22 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 Leary nor the Commission are bound by the terms herein; (iv) she has fully read this Stipulation and 27 28 Final Order, and understands it completely; (v) she 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) she states that no promise or representation has 31 been made to induce her to sign this Stipulation and Final Order; and (vii) she has 32 consulted with an attorney regarding this Stipulation and Final Order and has been fully 33 advised with regard to her 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

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the Stipulated Final Order below.

## STIPULATION OF FACTS

1. The Commission has licensed Leary since July 9, 2009. Leary currently holds a Professional Teaching License, with endorsements in Elementary - Multiple Subjects (PK-12), Special Education: Generalist (PK-12), and English to Speakers of Other Languages (PK-12), valid from November 23, 2020, through November 22, 2025. During all relevant times, Leary was employed by the Roseburg School District (RSD) as the lead teacher of the district-wide Special Education Self-Contained Behavior Classroom serving students with significant social and emotional skill deficits. Leary is a National Board-Certified Teacher and a Crisis Prevention Institute instructor and trainer.

2. On October 5, 2021, the Commission received a report from RSD indicating Leary had engaged in conduct that may be considered gross neglect of duty and/or gross unfitness. Specifically, the District reported two incidents involving Leary and students in which Leary had unnecessary physical contact with the students.

3. Investigation determined that early in the 2021-22 school year in which students were at Fullerton IV Elementary School, Leary was working in the Turn Around Program. A kindergarten student who had a recent schedule change and had fallen asleep earlier in the day outside the school, again appeared to be sleeping on a beanbag chair in Leary's classroom. When Leary first attempted to rouse the student, the student responded with an obscene remark and hand gesture. Ignoring Leary, the student rolled over and attempted to go to sleep. After making additional attempts to rouse the student, Leary shifted the student's legs and removed the beanbag chair from beneath the student. After still receiving no response from the student, Leary attempted to get the student up by banging on the floor with her hands next to the student. The student finally responded by moving to a different part of the classroom and became emotional.

4. Investigation determined that on September 27, 2021, a student who appeared to be dysregulated entered Leary's classroom. Leary engaged the student in a corrective and descriptive conversation about Leary's interpretation of the student's facial expression and mood. When the student attempted to disengage from Leary by walking to another part of the classroom, Leary used a terse tone and asked him to recognize his feelings. As a result, he placed a beanbag chair

1	over himself to avoid further discussion and attempted to disengage and regula	ate
2	himself. Later in the day, Leary held the backpack the student was wearing, an	d
3	made vocal sounds to show her displeasure with the student.	
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5	5. The District placed Leary on administrative leave while the matter was	
6	investigated. In early October 2021, the District notified Leary of their intent to	)
7	seek her termination. On October 22, 2021, Leary resigned her position with the	ıe
8	RSD effective June 10, 2022.	
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10	IT IS SQ STIPULATED:	
11	MA and all	
12	10/4/2022	
13	Alexandra M. Leary Date	
14	Jot & Dungun / 10/4/ 2022	
15 16	Trent Danowski, Deputy Director Date	
17	Teacher Standards and Practices Commission	
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19	CONCLUSION OF LAW	
20	The conduct described sections three (3) and four (4) above constitutes gross	
21	neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it	
22	incorporates, OAR 584-020-0010(5) (Use professional judgement), OAR 584-020-	
23	0020(2)(d) (Skill in the supervision of students), OAR 584-020-0025(2)(e) (Using	
24	district lawful and reasonable rules and regulations); and OAR 584-020-0040(4)(d)	
25	(Unreasonable physical force against students, fellow employees, or visitors to the	
26	school, except as permitted under ORS 339.250	
27	The Commission's authority to impose discipline in this matter is based upon	
28	ORS 342.175.	
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30	ORDER	
31	The Commission adopts and incorporates herein the above findings of fact and	
32	conclusions of law, and based thereon, imposes a thirty (30) day suspension upon	
33	Alexandra M. Leary's Oregon educator license.	

1		Furthermore, the Commission imposes a period of two (2) years of probation	
2	upon Leary's licensure to commence from the date the order is signed by the		
3	Commission and subject to the following conditions:		
4	1.	Leary shall comply with the Standards for Competent and Ethical Performance of	
5		Oregon Educators under Oregon Administrative Rules Chapter 584, Division	
6		020.	
7	2.	Prior to reinstatement of her license, Leary shall take a Commission approved	
8		training course specifically related to classroom management and provide the	
9		Commission evidence of her successful completion.	
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11		Issued and dated this day of October, 2022.	
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13		TEACHER STANDARDS AND PRACTICES COMMISSION	
14		STATE OF OREGON	
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17		By	
18		Dr. Anthony Rosilez, Executive Director	
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