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BEFORE THE TEACHIS STANDARDS AND PRACTICES COMMISSION
OF THE STATE OF OREGON

In the Matter of the) STIPULATION OF FACTS
Teaching License of) AND FINAL ORDER OF
JAMES DECKER) REPRIMAND

On March 13, 2010, the Teacher Standards and Practices Commission (Commission) received report from Salem Keizer Public Schools Superintendent Sandra Husk indicating that Mr. Decker may have engaged in gross neglect of duty.

Mr. Decker fully cooperated with the Commission's investigation. After review of the matters alleged, Mr. Decker and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts and a public reprimand.

This document sets forth the facts upon which the parties have agreed and the stipulated sanction to be imposed. Mr. Decker stipulates that there is sufficient evidence in the Commission's files and records to support the findings of fact, conclusions of law, and order set forth below.

By signing below, Mr. Decker acknowledges, understands, stipulates, and agrees to the following: (i) he has been fully advised of his rights to notice and a hearing to contest the findings of fact, conclusions of law, and order set forth below, and fully and finally waives all such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Reprimand (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to the public upon request by the Commission; (iii) this Stipulation and Final Order is contingent upon and subject to approval and adoption by the Commission. If the Commission does not approve and adopt this Stipulation and Final Order, then neither Mr. Decker nor the Commission are bound by the terms herein; (iv) he has fully read this Stipulation and Final Order, and 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 promises or representation has been made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an 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

1 into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order below. This
2 Order sets forth the facts upon which the parties have agreed and the sanction to be imposed. Mr.
3 Decker stipulates that there are sufficient facts contained in the Commission's files and records to
4 support the findings of fact and conclusions of law set forth below. In entering into this stipulation, Mr.
5 Decker waives the right to a hearing to contest the findings of fact, conclusions of law and order set
6 forth below.


7 **STIPULATION OF FACTS**

8 1. Mr. Decker has been licensed as a teacher since August 31, 2000. His current Initial I
9 Teaching License issued on August 31, 2010 is valid until October 13, 2013. During all material times
10 herein, Mr. Decker was employed by the Salem Keizer School District.


11 2. During the January 2010 administration of the OAKS statewide reading examination, Mr.
12 Decker provided assistance to students in direct violation of the OAKS instructions and training. Mr.
13 Decker defined words or gave examples of similar words to students. Mr. Decker also reminded
14 students to remember strategies learned in class.

15 3. After Mr. Decker was informed of an investigation regarding potential violations of OAKS
16 examination administration, Mr. Decker questioned students on whether they had spoken to
17 administrators.

18 **IT IS SO STIPULATED AND AGREED TO:**

19 
20 _____
21 James Decker

3-1-12
Date

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23 _____
24 Victoria Chamberlain, Executive Director
25 Teacher Standards and Practices Commission

4-30-12
Date

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CONCLUSIONS OF LAW

1. By engaging in the conduct in paragraph 2 above, Mr. Decker engaged in 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 584-020-0040(n) as it incorporates OAR 584-020-0015(2)(a) (*Use of state and district adopted curriculum and goals*), and OAR 584-020-0025(2)(e) (*Using district lawful and reasonable rules and regulations*).
2. By engaging in the conduct in paragraph 3 above, Mr. Decker engaged in 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 584-020-0010(1) (*Recognize the worth and dignity of all persons and respect for each individual*); OAR 584-020-0030(2)(b) (*Skill in communicating with administrators, students, staff, parents and other patrons*).

FINAL ORDER

The Commission adopts and incorporates herein the above finding of facts, conclusions of law, and based thereon, imposes a Public Reprimand on James Decker. This Order shall serve as the Public Reprimand.

Issued and dated this 20th day of April, 2012.

**TEACHIS STANDARDS AND PRACTICES COMMISSION
STATE OF OREGON**

By Victoria Chamberlain
Victoria Chamberlain, Executive Director