

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
2 OF THE STATE OF OREGON
3

4 In the Matter of the) STIPULATION OF FACTS,
5 Teaching License of) ORDER OF SUSPENSION
6 DENNIS JOHN FOSTER) AND PROBATION
7)
8

9 On or about June 5, 2000, the Teacher Standards and Practices Commission
10 (Commission) received a report from William Jones, Superintendent, Jackson County
11 School District 9, stating that Dennis Foster resigned on May 15, 2000, when confronted
12 with a parent complaint alleging that he told female student, TN, that he may be falling
13 in love with her. The District accepted Mr. Foster's resignation, effective June 14, 2000,
14 and allowed him to complete the academic year 1999-2000. The District did not
15 conduct an investigation.

16 The Commission conducted an investigation into these allegations and
17 determined that on numerous occasions between December 1999 and March 2000
18 Mr. Foster made overly personal inappropriate comments to female student, TN,
19 regarding her appearance and her relationship with her boyfriend that made TN feel
20 uncomfortable.

21 Mr. Foster fully cooperated with the Commission's investigation and did not
22 contest the allegations. After review of the matters alleged, Mr. Foster and the
23 Commission agree that their respective interests, together with the public interest, are
24 best served by a stipulation to certain facts and the imposition of a ninety (90) day
25 suspension of Mr. Foster's teaching license. The Commission will impose a probation

1 of two (2) years upon reinstatement of his teaching license. This Order sets forth the
2 facts upon which the parties have agreed and the sanction to be imposed. In entering
3 into this stipulation, Mr. Foster waives the right to a hearing to contest the finding of fact,
4 conclusion of law and order set forth below. Mr. Foster understands that the probation
5 will be subject to specific conditions.

6 **STIPULATION OF FACTS**

7 1. Mr. Foster holds a Oregon Basic Teaching License with Basic Elementary and
8 Basic Drama Endorsements effective May 13, 1998, to January 13, 2002. He was
9 employed by Jackson County School District 9 as a drama teacher at Eagle Point High
10 School from September 1989 until his resignation effective June 14, 2000.

11 2. During the 1999-2000 school year female student, TN, was a seventeen-year
12 old senior at Eagle Point High School enrolled in several of Mr. Foster's classes. TN
13 participated in theatrical productions that Mr. Foster directed.

14 3. During the 1999-2000 school year Mr. Foster engaged in a repeated overly
15 personal conversations with female student, TN, regarding her family and her
16 boyfriends. In May of 2000 TN reported to Becky Gathercole, LCSW, a private
17 counselor, that Mr. Foster disclosed personal feelings that made her feel uncomfortable.
18 During one conversation Mr. Foster told TN, "I think I am falling in love with you."
19 Mr. Foster admits that his statement was inappropriate.

20 4. Mr. Foster told TN that he envied her boyfriend and said that her boyfriend,
21 "...doesn't know what he's got." These comments were upsetting to TN and lead her to
22 seek counseling for anxiety.

1 5. On several occasions throughout the fall of 1999 TN came to class crying or
2 visibly upset over personal problems. Mr. Foster admits that he was aware that TN
3 should have been referred to a school counselor; he did not make the appropriate
4 referral; and sought to counsel TN himself.

5 6. Mr. Foster admits that he did not maintain appropriate professional student-
6 teacher relationship with TN.

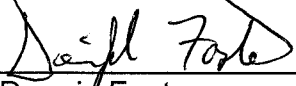
7 7. Mr. Foster accepts responsibility for his behavior. He is aware of and
8 remorseful for his failure to set appropriate professional student-teacher boundaries and
9 acknowledges his behavior was inappropriate.

10 **CONCLUSION OF LAW**

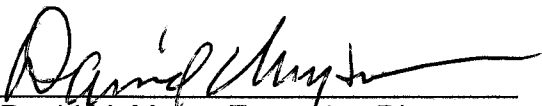
11 Mr. Foster's behavior constitutes serious and material inattention to and breach
12 of professional responsibilities when he failed to maintain an appropriate professional
13 student-teacher relationship with TN in violation of OAR 584-020-0035(1)(c).

14 This stipulation is contingent upon approval and adoption of the Order by the
15 Commission. If the Commission does not adopt this Order, neither Mr. Foster nor the
16 Commission are bound by these Stipulations and Mr. Foster retains all rights to a
17 hearing on the allegations.

18 IT IS SO STIPULATED:

19 
20 _____
Dennis Foster

_____ 1/4/01
Date

21
22 
23 _____
24 David V. Myton Executive Director
Teacher Standards and Practices Commission

_____ 1/4/01
Date

1 **ORDER**

2 Based upon the foregoing the Commission suspends Dennis Foster's teaching
3 license for a period of ninety (90) days beginning January 1, 2001. At the end of the
4 suspension period, Mr. Foster's teaching license will be reinstated upon complete
5 application and showing by Mr. Foster that he has undergone a evaluation, at his own
6 expense, by a psychotherapist or medical professional acceptable to the Commission,
7 and the evaluator submit a written report to the Commission attesting: (1) Mr. Foster is
8 fit to work with children and teenagers; and (2) that there is a high probability that he
9 understands and will maintain appropriate professional student-teacher relationships in
10 the future.

11 Upon the reinstatement of a teaching license to Dennis Foster, the Commission
12 will impose a two (2) year probation subject to the following conditions:

13 1. Mr. Foster shall substantially comply with any treatment or counseling as
14 recommended by the individual who completed the evaluation described above.
15 Mr. Foster shall authorize and sign any consent forms as necessary for the treatment
16 provider or counselor to furnish records or to discuss Mr. Foster's treatment with the
17 Commission.


18 2. Mr. Foster shall comply with all Standards for Competent and Ethical
19 Performance under Chapter OAR 584, Division 020.

20 3. Mr. Foster shall provide information as requested by the Commission to verify
21 that he has complied with the conditions of probation, including a statement from a
22 future employing district that he has complied with the Standards for Competent and
23 Ethical Performance under Chapter OAR 584, Division 020.

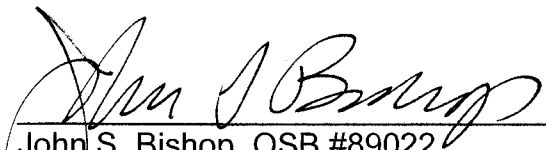
1 4. Violation of the terms of this probation may constitute an independent basis
2 for the Commission to impose discipline, up to and including revocation of Mr. Foster's
3 teaching license, subject to Mr. Foster's right to a hearing on the issue of whether he
4 violated probation.

5 Dated this 13th day of ~~January~~ ^{March} 2001

6 TEACHER STANDARDS AND PRACTICES COMMISSION

7
8 By: 
9 David V. Myton, Executive Director

10 Approved as to form:

11
12 
13 John S. Bishop, OSB #89022
14 Attorney for Dennis Foster