

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

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TEACHER STANDARDS AND PRACTICES COMMISSION

3
4 In the Matter of the) STIPULATION OF FACTS
5 Teaching License of) ORDER OF REPRIMAND
6 DONALD M. WALDEN) AND PROBATION
7)

8 On or about June 22, 2000, the Teacher Standards and Practices Commission
9 (Commission) received a report from Giles E. Parker, Superintendent, Coos Bay Public
10 Schools indicating that Donald M. Walden, a licensed educator, may have violated
11 Standards by pushing a student with sufficient force so that the student's head was
12 banged against a wall. The Superintendent also reported that Mr. Walden had been
13 previously placed on a plan of assistance for teaching proficiency (not related to
14 physical contact).

15 Mr. Walden fully cooperated with the Commission's investigation and did not
16 contest the allegations. After review of the matters alleged, Mr. Walden and the
17 Commission agree that their respective interests, together with the public interest, are
18 best served by a stipulation to certain facts and the imposition of a period of probation
19 of two (2) years. This Order sets forth the facts upon which the parties have agreed
20 and the sanction to be imposed. In entering into this stipulation, Mr. Walden waives the
21 right to a hearing to contest the findings of fact, conclusion of law and order set forth
22 below. Mr. Walden understands that the probation will be subject to specific
23 conditions.

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STIPULATION OF FACTS

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2 1. TSPC has licensed Mr. Donald M. Walden as an Oregon Educator
3 continuously since July 1, 1976. He currently holds a Basic Oregon Teaching License
4 with Basic Music and Basic Elementary endorsements issued on July 6, 2000 valid until
5 June 11, 2003.

6 2. Mr. Walden was employed by the Coos Bay Public Schools, to teach music at
7 the elementary and middle school levels, from August 29, 1994, until his resignation in
8 lieu of termination, effective June 14, 2000.

9 3. During his six years of employment as a music teacher at the Coos Bay Public
10 Schools, Mr. Walden's evaluations demonstrated a need for improvement in the areas
11 of age-appropriate communication with students and the exercise of professional
12 judgment in the discipline of students. Mr. Walden was placed on an a plan of
13 assistance to address these concerns, and he successfully completed the plan on
14 October 20, 1998.

15 4. Mr. Walden admits the use of inappropriately sarcastic comments and humor
16 with students in the classroom that may have caused them embarrassment due to their
17 vulnerable age.

18 5. Mr. Walden admits to use of discipline techniques which may have caused
19 physical discomfort or embarrassment to the students.

20 6. Mr. Walden accepts responsibility for his behavior and acknowledges his
21 behavior was inappropriate in that he failed to maintain appropriate communication and
22 professional judgment in his communications with and discipline of students.

1 This stipulation is contingent upon approval and adoption of the Order by the
2 Commission. If the Commission does not adopt this Order, neither Mr. Walden nor the
3 Commission are bound by these Stipulations and Mr. Walden retains all rights to a
4 hearing on the allegations.

5 IT IS SO STIPULATED:

6 *Donald M. Walden*
7 Donald M. Walden

4-30-01
Date

8 *David V. Myton*
9 David V. Myton Executive Director
10 Teacher Standards and Practices Commission

4/23/01
Date

11 **CONCLUSION OF LAW**

12 In using inappropriately sarcastic comments and humor with students and
13 inappropriate discipline techniques which caused students embarrassment, Mr. Donald
14 M. Walden failed to demonstrate a commitment to use professional judgment and
15 competency in communication in violation of OAR 584-020-0010(5).

16 **ORDER**

17 The Commission imposes a Public Reprimand on Mr. Walden. This Stipulation
18 of Facts, Order and Probation constitutes the Reprimand. Furthermore, the
19 Commission imposes a two (2) year probation upon Mr. Walden to commence on
20 May 11, 2001, subject to the following conditions:

21 1. Mr. Walden shall at his own expense, participate in an intensive training
22 program concerning appropriate Communication and Professional Judgment skills
23 conducted by a qualified trainer of the Commission's choosing within the first six
24 months of probation. This intensive training shall consist of not less than eight (8), one
25 hour sessions. The Commission will provide the trainer with a Copy of this Order prior

1 to Mr. Walden beginning the program. The program trainer will provide the Commission
2 with a report of successful program completion.

3 2. Mr. Walden shall comply with all Standards for Competent and Ethical
4 Performance under Chapter OAR 584, Division 020.

5 3. Mr. Walden shall provide information as requested by the Commission to
6 verify that he has complied with the conditions of probation, including a statement from
7 his employing district that he has complied with the Standards for Competent and
8 Ethical Performance under Chapter OAR 584, Division 020.

9 Violation of the terms of this probation may constitute an independent basis for
10 the Commission to impose discipline, up to and including revocation of Mr. Walden's
11 teaching license subject Mr. Walden's right to a hearing on the issue of whether he
12 violated probation.

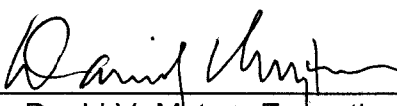
13 Dated this 11th day of May 2001

14 TEACHER STANDARDS AND PRACTICES COMMISSION

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By: 
David V. Myton, Executive Director

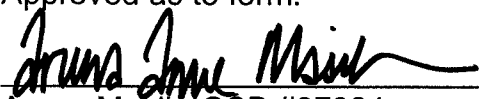
18 Approved as to form:

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Aruna Masih, OSB #97324
Attorney for Donald M. Walden