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

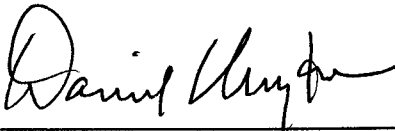
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6 In the Matter of the ) ORDER OF PUBLIC REPRIMAND  
7 Teaching License of ) AND PROBATION  
8 JOHN ROBERT REYNOLDS )  
9 )

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11  
12 FINAL ORDER

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14 By resolution dated January 15, 1999, the Teacher Standards and Practices  
15 Commission adopts the attached proposed order to issue a Public Reprimand to  
16 John Robert Reynolds for gross neglect of duty and places him on Probation  
17 until January 10, 2001.

18  
19 DATED THIS 27<sup>th</sup> day of January, 1999.

20  
21 TEACHER STANDARDS AND PRACTICES COMMISSION

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23  
24 By 

25  
26 David V. Myton, Executive Director

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28 NOTICE: YOU ARE ENTITLED TO A JUDICIAL REVIEW OF THIS ORDER.  
29 JUDICIAL REVIEW MAY BE OBTAINED BY FILING A PETITION FOR REVIEW  
30 WITHIN 60 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW  
31 IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE OREGON  
32 COURT OF APPEALS.  
33  
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1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION

2 OF THE STATE OF OREGON

3 In the Matter of the  
4 Teaching License of:

5 JOHN ROBERT REYNOLDS

PROPOSED ORDER

6

7 Pursuant to Notice, the Teacher Standards and Practices Commission (Commission) held

8 a hearing in Room 500A, 255 Capitol Street NE, Salem, Oregon, based on the Notice of

9 Opportunity for Hearing dated March 19, 1998. The hearing panel consisted of Commissioners

10 Toby Clauson, Robert Goerke and Manuel Mateo. Ms. Clauson served as presiding officer. The

11 hearing was conducted as a contested case matter and was mechanically taped recorded. At the

12 request of Mr. Reynolds, the Commission conducted a private hearing. The panel heard

13 testimony from the following witnesses called by the Commission: Deborah Dineen, Director of

14 Human Resources, Corvallis School Districts; Janet Madland, Commission staff; Susan Nisbet,

15 Commission staff; Pam LaFreniere, Commission staff; Diana Henigan, Superintendent,

16 Huntington School District (via telephone). The panel heard testimony from the following

17 witnesses called by Mr. Reynolds: John Reynolds, Henry Golden, former Vice-Principal,

18 Corvallis School District; Jean Hilliard, former teacher, Corvallis School District.

19 In addition, the panel considered and received into evidence without objection 16 exhibits

20 offered by the Commission and eight exhibits that were offered by Mr. Reynolds.

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## FINDINGS OF FACT

- 1  
2 1. Mr. Reynolds holds an Oregon teaching license. He was first issued a basic license on  
3 April 11, 1991, valid through January 10, 1995. This license entitled Mr. Reynolds to  
4 teach in grades 5 through 12. His basic teaching license was reinstated after it had  
5 lapsed, for the period March 3, 1995 through January 10, 1999 with authorization to  
6 teach in grades 5 through 9.
- 7 2. During the 1992-93 school year, Mr. Reynolds was employed as a high school teacher  
8 with the Huntington School District, in Huntington, Oregon.
- 9 3. From 1993 through 1996, Mr. Reynolds was employed in a classified position with the  
10 Corvallis School District as an attendance/behavior contact person at the Crescent Valley  
11 High School. This position did not require either a teaching license or an administrative  
12 license, and Mr. Reynolds' work activities in this position did not constitute experience  
13 as a teacher or as an administrator for purposes of verification of successful teaching  
14 experience under OAR 584-040-0005(2). During the period between September 1993  
15 and June 1998, Mr. Reynolds was employed from time to time as a substitute teacher for  
16 the Corvallis, Lebanon, Scio and Sweet Home School Districts, for a total of 56 days.
- 17 4. During Mr. Reynolds' employment in a classified position with the Corvallis School  
18 District, he agreed to supervise classes at Crescent Valley High School when teachers  
19 were absent.
- 20 5. Henry Golden was employed as a Vice-Principal at Crescent Valley High School during  
21 most of the period when Mr. Reynolds worked in his classified position as an  
22 attendance/behavior contact person. Mr. Reynolds and Mr. Golden testified that  
23 Mr. Reynolds frequently engaged in teaching activities when he supervised classes in the

1 absence of a classroom teacher. Mr. Reynolds was not employed by the district as a  
2 substitute teacher for these purposes, and he did not receive the rate of pay applicable to  
3 substitute teachers. Mr. Reynolds and Mr. Golden testified that Mr. Reynolds was given  
4 extra compensatory time in exchange for his "substitute" teaching. Mr. Reynolds and  
5 Mr. Golden testified that the school did not keep records of Mr. Reynolds' substitute  
6 teaching activities or the amount of compensatory time accumulated by Mr. Reynolds for  
7 this purpose.

8 6. In February 1995, Mr. Reynolds submitted an application for reinstatement of his expired  
9 basic teaching license. He submitted a Professional Educational Experience Report  
10 (PEER) Form with his application. Under instructions provided by the Commission to  
11 applicants and under the plain terms of the form, a signature of the employing district is  
12 necessary to demonstrate professional educational experience. The PEER Form  
13 submitted by Mr. Reynolds in 1995, appeared to contain the signature of Diana Henigan,  
14 Superintendent of the Huntington School District. Mr. Reynolds inserted the name of  
15 Diana Henigan on the signature line of the PEER Form. Mr. Reynolds did not have  
16 authority and did not obtain the permission of Ms. Henigan to sign her name on the  
17 signature line of the PEER Form.

18 7. In 1997, Mr. Reynolds submitted an application for a teaching license. On the  
19 application form, Mr. Reynolds stated that he was applying for a "renewal" of a standard  
20 teaching license with a subject matter endorsement in social studies. Mr. Reynolds also  
21 completed the top half of a Form C-2 Preparation for Teaching Report in which he  
22 indicated he was applying for a standard teaching license. The 1997 application also  
23 included a PEER Form which was purported to have been signed by Bruce Harter,

1 Superintendent of the Corvallis School District. The PEER Form further stated that  
2 Mr. Reynolds had engaged as a full-time teacher during the 1992-93 school year, that he  
3 had worked as a administrator from September 1993 to June 1996 and that he had  
4 engaged in 190 days of substitute teaching between September 1993 and June 1997.

5 8. Mr. Reynolds knowingly wrote the signature of Bruce Harter on the form without  
6 authorization or permission to do so and knowingly misrepresented that the document  
7 had been signed by Mr. Harter.

8 9. The information contained in the PEER Form was inaccurate in the following respects:

9 a. Reynolds wrote that he had one year of full-time high school teaching experience  
10 with Corvallis High School during the 1992-93 school year when in fact he had  
11 been employed with the Huntington School District during that school year.

12 b. Reynolds wrote that he had three years experience as an administrator when in  
13 fact he had no experience as a school administrator.

14 c. Reynolds wrote that he had 190 days of experience as a substitute teacher with the  
15 Corvallis School District between September 1993 and June 1997 when in fact he  
16 had been employed and paid as a substitute teacher for no more than 54 days in  
17 several school districts.

18 8. Mr. Reynolds testified that the inaccuracies on the 1997 PEER Form were mistakes and  
19 not intended to be misrepresentations. He testified that he thought he was supposed to  
20 list all teaching experience with all employing districts on the same PEER Form, and for  
21 that reason he listed teaching experience he believed he had with the Huntington,  
22 Corvallis, Scio, Lebanon and Sweet Home School Districts. He also testified that he  
23 listed experience as a school administrator because he believed his experience in a

1 classified administrative position might qualify as experience as a school administrator.  
2 He further testified that he wrote 190 days of substitute experience based on an estimate  
3 of his actual substitute teaching experience together with the time he spent supervising  
4 classrooms at Crescent Valley High School while employed in a classified administrative  
5 position.

6 9. The information listed on the 1997 PEER Form would not have been sufficient to qualify  
7 Mr. Reynolds for a standard Oregon teaching license, even if that information had been  
8 accurate.

9 10. The inaccurate information on the PEER Form was discovered by a Commission  
10 evaluator in December 1997. The evaluator noted that the form indicated experience as a  
11 administrator when Mr. Reynolds did not hold an administrative license. Based on this,  
12 the Commission contacted the Corvallis School District and was informed by Deborah  
13 Deneen, Human Resources Director, that the purported signature of Bruce Harter was a  
14 forgery.

15 11. When Mr. Reynolds was contacted concerning this matter, he admitted he had inserted  
16 the signature of Mr. Harter on the form, and he further disclosed he had inserted  
17 Ms. Henigan's signature on the 1995 PEER Form.

#### 18 **UTILIMATE FINDINGS OF FACT AND CONCLUSIONS OF LAW**

19 1. In 1995, John Robert Reynolds knowingly falsified a document related to licensure by  
20 misrepresenting that the document had been signed by the Superintendent of the  
21 Huntington School District. This conduct constitutes gross neglect of duty in violation of  
22 OAR 584-020-040(4)(c).

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1 2. In 1997, John Robert Reynolds knowingly falsified a document related to licensure by  
2 misrepresenting that the document had been signed by the Superintendent of the Corvallis  
3 School District. This conduct constitutes gross neglect of duty in violation of OAR 584-  
4 020-040(4)(c).

### 5 DISCUSSION

6 The Commission finds by a preponderance of the evidence that Mr. Reynolds made a  
7 knowing misrepresentation when he signed the Commission forms that were supposed to be  
8 completed by the employing school districts' superintendents. The Commission rejects  
9 Mr. Reynolds' contention that he had mistakenly believed he had the permission or authority to  
10 sign on behalf of the superintendents. The Commission finds the evidence to be inconclusive as  
11 to whether the inaccurate information on the 1997 form was provided intentionally or through  
12 inattention, negligence or a lackadaisical failure to read the plain language on the Commission  
13 forms. The Commission concludes that Mr. Reynolds, at the least, was trying to stretch the  
14 information concerning his professional experience.

15 Mr. Reynolds argued that the Commission form was difficult to understand and  
16 ambiguous. This problem could have been easily avoided if Mr. Reynolds had done what he was  
17 supposed to do in the first instance, i.e., provide the form to his employing school district for  
18 completion. Instead he filled out the form himself and misrepresented that the form had been  
19 signed by the school district superintendents. His actions caused the expenditure of considerable  
20 unnecessary time and expense to the Commission and to Mr. Reynolds.

21 In imposing a sanction, the Commission takes into account that Mr. Reynolds has no  
22 prior complaints or other disciplinary matters. He is currently employed, and the Commission  
23 has received information that his current employer is satisfied with his teaching performance.

1 Although Mr. Reynolds' activities were deceptive, there is no evidence that he profited by his  
2 misrepresentations.

3 Based on the foregoing, the Commission will impose a public reprimand and place  
4 Mr. Reynolds on probation.

5 **PROPOSED ORDER**

6 John Robert Reynolds is publicly reprimanded, and this order shall serve as the public  
7 reprimand.

8 John Robert Reynolds shall be placed on probation for a period beginning with the date of  
9 this order and continuing through January 10, 2001. Conditions of probation shall be as follow:

- 10 1. Reynolds shall comply with all laws.
- 11 2. Reynolds shall comply with all standards for competent and ethical performance  
12 of Oregon educators under OAR 584 Division 20.
- 13 3. During the course of the probationary period, Reynolds shall provide to the  
14 Commission such information as requested to verify that he has complied with  
15 conditions of probation, including a statement of satisfactory performance by his  
16 employing school district.

17 DATED this 27<sup>th</sup> day of January 1999.

18 TEACHER STANDARDS AND PRACTICES COMMISSION

19 By: David V. Myton  
20 David V. Myton, Executive Director