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

In the Matter of the) STIPULATION OF FACTS AND
Educator License of) FINAL ORDER OF SUSPENSION
STEPHEN C. SINCERNY) AND PROBATION

On or about July 13, 2015, the Teacher Standards and Practices Commission (Commission) received a report from the Phoenix-Talent School District indicating that licensed educator Stephen Sincerny (Sincerny) may have violated professional standards.

Sincerny cooperated with the Commission's investigation in this matter. After review of the matters alleged, Sincerny and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts, the imposition of a sixty (60) day suspension of Sincerny's Oregon educator license, and a two (2) year period of probation.

This document sets forth the facts upon which the parties have agreed and the stipulated sanction to be imposed. Sincerny 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, Sincerny 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 Suspension and Probation (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 Sincerny 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 into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order below.

1 **STIPULATION OF FACTS**

- 2 1) The Commission has licensed Sincerny since April 8, 1988. Sincerny currently holds a
3 Professional Teaching License, with endorsements in Elementary-Multiple Subjects, Career
4 Trades Generalist, and Foundational Science; valid from November 16, 2015, through
5 November 15, 2018. During all relevant times, Sincerny was employed by the Phoenix-Talent
6 School District.
- 7 2) On July 13, 2015, the Commission received information alleging that Stephen C. Sincerny,
8 teacher, Talent Middle School, Phoenix-Talent School District failed to notice students
9 engaging in inappropriate and dangerous behavior in his classroom. Investigation
10 determined that on May 15, 2015, four male middle school students all participated in
11 choking each other to the point of unconsciousness. The involved students took turns
12 placing their arm around another student’s neck and squeezing until they passed out. After
13 reviving the unconscious student, the involved students traded positions and repeated the
14 process. The involved students recorded the events on their cell phones. The choking
15 incident took place at classroom tables while regular classroom activities were underway.
16 Sincerny told investigators he may have been busy assisting other students and had failed to
17 observe the dangerous behavior. On May 22, 2015, Sincerny resigned his employment with
18 the Phoenix-Talent School District.

19
20 IT IS SO STIPULATED:

21 Stephen C. Sincerny
22 Stephen C Sincerny

12/8/2017
Date

23 Trent Danowski

12/15/2017
Date

24 Trent Danowski, Co-Interim Executive Director

Date

25 Teacher Standards and Practices Commission
26

27 **CONCLUSIONS OF LAW**

28 Stephen Sincerny’s conduct as described in above constitutes gross neglect of duty in
29 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-
30 0010(5) (*Use professional judgment*), OAR 584-020-0020(2)(d) (*Skill in the supervision of*
31 *students*), and OAR 584-020-0025(2)(a) (*Establishing and maintaining classroom*
32 *management that is conducive to learning*).
33

1 The Commission's authority to impose discipline in this matter is based upon ORS
2 342.175.

3 **ORDER**

4 The Commission hereby adopts and incorporates herein the above stipulation of facts,
5 conclusions of law, and based thereon hereby imposes a sixty (60) day suspension upon
6 Sincerny's Oregon educator license as follows:

7 Stephen Sincerny's Oregon educator license is suspended for sixty (60) days following
8 the adoption of this order.

9 Furthermore, the Commission imposes a two (2) year period of probation upon Sincerny
10 to commence upon reinstatement of his Oregon educator license and subject to the following
11 terms and conditions of probation:

- 12 1. Sincerny shall comply with the Standards for Competent and Ethical
13 Performance of Oregon Educators under Oregon Administrative Rules Chapter
14 584, Division 020.

15 Violation of any term or condition of probation shall constitute an independent basis for the
16 Commission to revoke Sincerny's Oregon educator license or otherwise impose discipline, after
17 first providing Sincerny with notice and opportunity for hearing

18
19
20 IT IS SO ORDERED this 19 day of January, 2018.

21 TEACHER STANDARDS AND PRACTICES COMMISSION

22
23 By: 
24 Dr. Anthony Rosilez, Executive Director

CERTIFICATE OF MAILING

I HEREBY CERTIFY that I served the foregoing Stipulation of Facts and Final Order of Suspension and Probation, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail — Return Receipt Requested, addressed to:

Stephen C. Sincerny
790 Liberty St
Ashland, OR 97520-3139

DATED this 29th day of January, 2018.

By: Patty Sheldon
Patty Sheldon
Investigative Assistant

Certificate of Mailing – Stephen C. Sincerny

Data Classification Level: 2 – Limited
DO: Sheldon