

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 DIANA LOUISA JACKSON

Case No.

STIPULATION OF FACTS, PUBLIC  
REPRIMAND AND ORDER OF PROBATION

6           On October 27, 2004, the Teacher Standards and Practices (Commission) issued a Notice  
7 of Opportunity for Hearing to Diane Louisa Jackson, proposing to suspend or revoke her license  
8 or to otherwise impose discipline under ORS 342.177. Ms. Jackson requested a hearing on  
9 November 15, 2004.

10           After a review of the matters alleged, the Commission and Ms. Jackson have agreed that  
11 their respective interests, together with the public interest, are best served by a stipulation to  
12 certain facts and the imposition of a public reprimand and period of probation.

13   **STIPULATION**

14           In entering into this stipulation, Ms. Jackson waives her right to a hearing and  
15 understands that the Commission will impose the discipline set forth below. Ms. Jackson has  
16 denied and continues to deny that she slapped the hands of students in such a manner as to cause  
17 pain. However, Ms. Jackson stipulates that there are sufficient facts in the Commission's files  
18 and records to support the findings of fact and conclusions of law set forth below and she has  
19 waived her right to contest the findings, conclusions and order set forth below. The terms of this  
20 stipulation and proposed order are contingent on approval by the full Commission. If the  
21 Commission does not approve this stipulation and order, it is understood that any waiver of  
22 rights by Ms. Jackson is therefore revoked. It is further understood that the statements contained

1 in this stipulation may not be used by either the Commission or Ms. Jackson for any reason if the  
2 Commission fails to approve the stipulation and proposed order.

3  
4 It is so stipulated:

5  
6 *Diana L. Jackson*  
Diana Louisa Jackson

4-14-05  
Date

7  
8 *Victoria Chamberlain*  
Victoria Chamberlain, Executive Director  
9 Teacher Standards and Practices Commission

4-19-05  
Date

10 **FINDINGS OF FACT**

11 1. Ms. Jackson holds an Oregon Basic Teaching License with a basic endorsement  
12 in elementary education. The license is valid through May 28, 2007.

13 2. Ms. Jackson has been employed as a substitute teacher in the Albany and Lebanon  
14 School Districts since about June 1985.

15 3. On February 18, 2004, Ms. Jackson was working as a substitute teacher in a  
16 second-grade classroom at Riverview Elementary School in the Lebanon School District. On  
17 that occasion, Ms. Jackson slapped the hands of two second-grade students because the students  
18 were misbehaving. She slapped the students with sufficient force to cause some physical pain.

19 **CONCLUSIONS OF LAW**

20 Ms. Jackson's actions as described above constitute unreasonable physical force and  
21 gross neglect of duty in violation of OAR 584-020-0040(4)(d).

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**ORDER**

The Commission imposes a public reprimand on Diane Louisa Jackson. This stipulation and order shall constitute the public reprimand.

The Commission also places Ms. Jackson on probation for a period of two years from the date of this order subject to the following conditions:

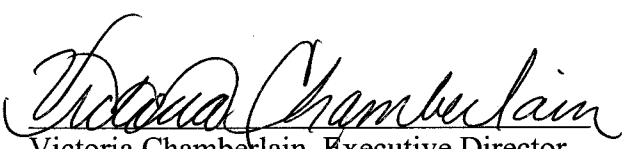
1. Ms. Jackson shall submit documentation to the Commission that she has completed an anger management program regarding appropriate contact with students. The program shall be conducted by a medical health professional or qualified counselor that is acceptable to the Commission. Ms. Jackson shall provide a copy of this order to the mental health professional or counselor. The counseling shall consist of at least six hours, and the medical health professional or counselor shall provide to the Commission a report of successful program completion by Ms. Jackson on or before September 1, 2005.

2. Ms. Jackson shall comply with all Standards for Competent and Ethical Performance of Educators under OAR Chapter 584, Division 020.

Violation of any term of probation may constitute an independent basis for the Commission to impose discipline, up to and including revocation of Ms. Jackson's teaching license, subject to her right to a hearing on the issue of whether she has violated probation.

IT IS SO ORDERED this 28<sup>th</sup> day of April, 2005.

TEACHER STANDARDS AND PRACTICES COMMISSION

By:   
Victoria Chamberlain, Executive Director