

1 STATE OF OREGON
2 TEACHER STANDARDS AND PRACTICES COMMISSION

3 In the Matter of the) STIPULATION OF FACTS
4 Teaching License of:) and ORDER OF SUSPENSION
5 RONALD MARES SHERMAN)
6)

7 On or about September 25, 1997, The Teacher Standards and
8 Practices Commission (Commission) issued a Notice of Opportunity
9 for Hearing to Ronald Mares Sherman (Sherman) in which the
10 Commission proposed to suspend or revoke his Oregon teaching
11 license or to impose other discipline under ORS 342.177. The
12 basis for the proposed action was Sherman's violation of an
13 agreement he had made with the Eugene School District 4J on or
14 about March 7, 1995.

15 The Commission and Sherman have now reviewed the matters
16 alleged and have agreed that their respective interests, together
17 with the public interest, are best served by entering an Order
18 suspending Sherman's license for one year based upon the following
19 Stipulation of Facts. In entering this Stipulation, Sherman waives
20 his right to a hearing. This agreement sets forth the facts upon
21 which the parties have agreed including the Commission's Order of
22 one year suspension of Sherman's teaching license.

23 FINDINGS OF FACT

24 Sherman agrees and stipulates that evidence in the record
25 exists to support the following Findings of Fact by the Commission:

- 26 1. In 1995 the Eugene School District 4J began an
investigation of Sherman to determine whether he had
engaged in a designated act of gross neglect of duty as
set out in law and rule. Sherman denies that he
engaged in any such acts of gross neglect of duty. The
Commission, after investigation of Sherman, found
insufficient cause to charge Sherman with gross neglect
of duty regarding the 1995 Eugene School district 4J
concerns.
2. After consultation with an attorney, and in order to
avoid controversy concerning the issue, the teacher
offered to resign on March 3, 1995, and agreed to
restrictions on future employment on March 7, 1995, as
set out in paragraph 3 of a written agreement which
specified:

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1 Restrictions on future employment.

2 In consideration of the acceptance of the
3 teacher's resignation, the teacher agrees that he
4 shall not under any circumstances apply for, nor
5 fill, the position of teacher nor any other
6 employment that places the teacher in contact with
7 children under the age of 18, at any time in the
8 future. Should District become aware of such
9 employment, it will inform the Teacher Standards
10 and Practices Commission or equivalent.

11 This shall be a continuing obligation under the
12 terms of this agreement. Annually, in September
13 of each year, beginning with the year 1995 and
14 ending with the year 1999, the teacher shall
15 notify the District in writing of the location and
16 nature of the Teacher's employment.

- 17 3. The District notified the Commission of the
18 investigation and disposition of the matter on or about
19 March 7, 1995, consistent with law.
- 20 4. A Commission investigator commenced an investigation in
21 1996 and determined that Sherman began working for
22 Yakima Education Service District 105 in Washington in
23 1995. His position title was Special Education
24 Inservice Coordinator. The position description
25 provides in part: "The Special Education Inservice
Coordinator is responsible for providing leadership,
technical assistance and program and personnel
development to school districts and state operated
programs serving handicapped students in ESD 105."
Sherman continues to be employed by ESD 105, but his
duties are administrative in nature.
- 26 5. Sherman failed to notify Eugene School District 4J of
his employment at the Yakima ESD 105, in violation of
the March 7, 1995, agreement.
6. The Commission contends that Sherman's work at Yakima
ESD 105 in 1995 and 1996 placed him in occasional
contact with children under the age of 18 in violation
of the March 7, 1995, agreement. Sherman contends that
any contact with children was only incidental to his
primary duties and was not in violation of the contract
referred to in finding of fact 2. Because of
stipulated finding of fact No. 5, it was unnecessary
for the Commission to resolve this issue.

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1 7. Based upon the above stipulated facts, Sherman agrees
2 that his Oregon teaching license should be suspended
for one year.

3 8. This Stipulation and the Proposed Order are contingent
4 upon approval by the full Commission at the
5 Commission's next meeting. If the Commission does not
6 approve this Stipulation, the matter will be returned
to the Commission for a hearing. However, Sherman
shall be bound by the matters in this Stipulation
contained in paragraph 1-7.

7 CONCLUSIONS OF LAW

8 Sherman's actions set forth above constitute a violation of
9 OAR 584-20-035(2)(a) and (3)(a).

10 IT IS SO STIPULATED:

11 Ronald M. Sherman
12 Ronald Mares Sherman

April 10, 1998
Date

13 David V. Myton
14 David V. Myton
15 Executive Director,
16 Teacher Standards and Practices Commission

4/27/98
Date

17 ORDER

18 The Commission adopts the above findings of fact, and
19 suspends the teaching license of Ronald Mares Sherman for one
year from the date of approval of this Order by the Commission.

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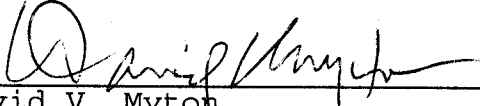
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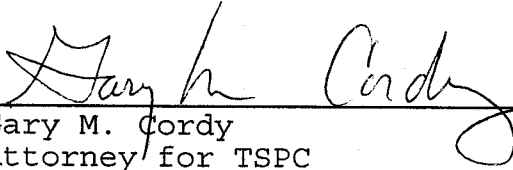
1 Sherman continues to be bound to the written terms of the
2 March 7, 1995, agreement with Eugene School District 4J unless
3 modified by the parties. Should that agreement be modified,
4 Sherman will provide written notice to the Commission along with
5 a copy of the revision.

6 DATED this 19 day of ^{May}~~April~~ 1998.

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

11 Approved as to form

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14 Terence J. Hammons, Attorney for
15 Ronald Mares Sherman

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18 Gary M. Cordy
19 Attorney for TSPC

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