

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

In the Matter of the)
Educator License of)
JOSEPH R. KUNES)
)
) STIPULATION OF FACTS AND
) FINAL ORDER OF
) PUBLIC REPRIMAND AND
) PROBATION

On August 29, 2023 the Teacher Standards and Practices Commission (Commission) received a School District Misconduct Report from the Salem-Keizer School District (SKSD). The report alleged possible professional misconduct on the part of licensed educator, Joseph R. Kunes (Kunes).

After review of the matters alleged, Kunes and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts and the imposition of a Public Reprimand and Probation.

This Order sets forth the facts upon which the parties have agreed and the sanction to be imposed. It stipulates that there are sufficient facts contained in the Commission's files and records to support the findings of fact and conclusions of law set forth below. In entering into this stipulation, Kunes waives the right to a hearing to contest the findings of fact, conclusions of law and order set forth below.

By signing below, Kunes 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 Public Reprimand (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 Kunes 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 promise 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

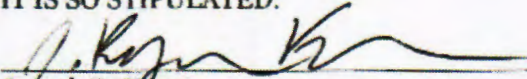
1 attorney prior to entering into this Stipulation and Final Order and issuance and entry of
2 the Stipulated Final Order below.

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4 **STIPULATION OF FACTS**

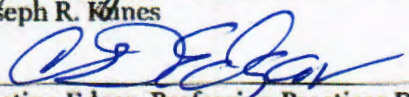
- 5 1. The Commission has licensed Kunes since January 19, 2022. Kunes holds a
6 Reciprocal Teaching License, with endorsements in Special Education: Generalist
7 (PK-12), which was valid from June 24, 2022 and expired on June 24, 2023.
8 During all relevant times, Kunes was employed by the Salem-Keizer School
9 District (SKSD).
10
- 11 2. On August 29, 2023, the Prevention and Protection Specialist for the SKSD,
12 Debbie Joa, (Joa) filed a school district misconduct report with TSPC. The
13 misconduct report alleged that on or about February 1, 2023, Kunes and another
14 SKSD staff member physically moved a dysregulated student (student A) from a
15 classroom to a "de-escalation" room. It was alleged that Kunes and the staff
16 member moved the student by "dragging" him by his arms and legs. During the
17 incident, it was alleged that the student's pants and underwear were accidentally
18 pulled down as he was pulled across the floor during the escort.
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- 20 3. According to SKSD documents and a TSPC investigation into this matter, the
21 following was substantiated in relation to the above-listed allegations:
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- 23 • Kunes was working as a Special Education teacher at the SKSD at Crossler
24 Middle School in Salem, Oregon.
 - 25 • On or about February 1, 2023, a 13-year-old dysregulated student, (student A)
26 was struggling with behavioral issues in Kunes' classroom.
 - 27 • According to district documents, student A was disrupting class with
28 inappropriate language and was pinching students and staff.
 - 29 • Kunes attempted to de-escalate student A but was unsuccessful.
 - 30 • Kunes asked student A to leave the classroom and student A walked over to
31 Kunes' desk and started ripping up important paperwork.
 - 32 • Student A then dropped to the floor, and when staff responded to assist him
33 off the floor, he attempted to strike Kunes in the genitals.
 - 34 • Kunes directed student A to stop, but student A continued to escalate.

- 1 • Kunes and a para-educator decided to move student A to the de-escalation
2 room.
3 • Staff witnesses report that Kunes and the para-educator moved student A to
4 the de-escalation room. The para-educator had hold of student A's upper
5 body and was pulling him across the floor to get to the de-escalation room.
6 Student A was kicking out and Kunes took hold of student A's feet to prevent
7 him from kicking staff or hurting himself during the escort, supporting
8 student A's legs as he was escorted to the de-escalation room.
9 • It was reported by witnesses that student A's pants and underwear slipped
10 down his body during the move to the de-escalation room.
11 • Kunes reported to the SKSD during the district investigation that student A's
12 pants had caught on an anti-slip mat near the door of his classroom which
13 caused his pants to accidentally be pulled down. Kunes reported that as soon
14 as he noticed this, he stopped the escort and immediately pulled student A's
15 pants back up.
16 • The SKSD issued Kunes a Letter of Directive for this incident, and Kunes
17 resigned his position with the district at the end of the 2022-23 school year.

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20 IT IS SO STIPULATED:

21 
22 Joseph R. Kunes

5/23/25
Date

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25 Cristina Edgar, Profession Practices Director
26 Teacher Standards and Practices Commission

6/2/25
Date

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CONCLUSION OF LAW

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The conduct described in sections two (2), and three (3) above constitutes gross
neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it
incorporates OAR 584-020-0010(5) (Use professional judgment), OAR 584-020-

0020(2)(d) (Skill in the supervision of students), OAR 584-020-0025(2)(e) (Using district lawful and reasonable rules and regulations), and 584-020-0040(4)(d)(Unreasonable physical force against students, fellow employees, or visitors to the school, except as permitted under ORS 339.250).

ORDER

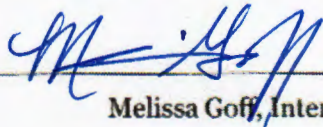
The Commission adopts and incorporates herein the above findings of fact and conclusions of law, and based thereon, imposes a Public Reprimand and two (2) years probation. Additionally, the Commission will require that Kunes complete a certified restraint and seclusion course within the first year of probation. The period of probation will become effective on the date of adoption of this stipulated order. The period of probation is subject to the following conditions:

1. Complete a certified restraint and seclusion (Mandt or similar) training program within the first year of probation.
2. Kunes shall comply with the Standards for Competent and Ethical Performance of Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020.

Issued and dated this 26 day of June, 2025.

TEACHER STANDARDS AND PRACTICES COMMISSION
STATE OF OREGON

By



Melissa Goff, Interim Executive Director