

**OKLAHOMA STATE BOARD OF EDUCATION
ADMINISTRATIVE COMPLAINT**

STATE OF OKLAHOMA, ex. rel.)	
STATE DEPARTMENT OF EDUCATION,)	
)	
Applicant,)	
)	
vs.)	2020-16
)	
JACOB COLLINS)	
)	
Respondent.)	

EMERGENCY ORDER

On this 17th day of December, 2020, this matter came on for consideration the Oklahoma State Department of Education’s (“Applicant”) Application for Emergency Order to Summarily Suspend Teaching Certification (the “Application”).

STATEMENT OF FACTS

1. Respondent, Jacob Collins (“Collins”) currently holds Oklahoma teaching certificate (the “Certificate”), number 435574 via alternative certification.
2. Collins is currently certified to teach Physical Education/Health/Safety in Grades 5-12.
3. Collins was most recently employed a teacher and coach at Latta Public School (the “District”).
4. On or about October 28, 2020, Collins was charged in Pontotoc County with one count of Soliciting Sexual Conduct or Communication with Minor by Use of Technology in violation of 21 O.S. § 1040.13a, a Felony. See Pontotoc County CF-2020-00409 on the Oklahoma State Courts Network (OSCN).

5. As described in the Information Document filed in Pontotoc County, on or between September 1, 2019 and October 20, 2020, Collins used a telecommunication device to engage in communication for sexual and prurient interest with a minor to wit: by sending nude pictures of himself to a minor child, and by sending sexually suggestive messages to said minor child. *See* Pontotoc County Information (“Information”), attached to the Application as Exhibit “A”.

6. According to an Affidavit in Support of Probable Cause, law enforcement met at the District on October 21, 2020 and discussed allegations that Jacob Collins had sent inappropriate pictures to a student that was sixteen years old at the time of the incident. *See* Affidavit in Support of Probable Cause ("Affidavit"), attached to the Application as exhibit "B".

7. On October 27, 2020, law enforcement interviewed the student. The student said Collins added her on Snapchat, asked her for pictures of herself, and Collins sent her at least two naked pictures of himself. The student said the first picture exposed Collins’ penis and was taken in the showers at the Latta basketball gym. The second picture was Collins standing in front of the mirror fully nude. *Id.*

Conclusions of Law

1. The Oklahoma State Board of Education (the “State Board”) is vested with the general authority to provide for the health and safety of schoolchildren while under the jurisdiction of school authorities. *See* 70 O.S. § 3-104(17).

2. That Title 70 O.S. § 3-104(6) provides:

The supervision of the public school system of Oklahoma shall be vested in the State Board of Education and, subject to limitations otherwise provided by law, the State Board of Education shall...[h]ave authority in matters pertaining to the licensure and certification of persons for instructional, supervisory and administrative positions and services in the public schools of the state...and shall formulate rules governing the issuance and revocation of certificates.

3. The Oklahoma Administrative Procedures Act, 75 O.S. § 250 *et seq.*, governs the State Board’s administrative actions relating to teacher disciplinary matters. *See* 75 O.S. § 250.3(3). More specifically, 75 O.S. § 314(C)(2) provides:

If the agency finds that public health, safety, or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action. These proceedings shall be promptly instituted and determined.

See 75 O.S. § 314.

4. Further, 75 O.S. § 314.1 provides:

As authorized by or pursuant to law, if an agency finds that the public health, safety, or welfare imperatively requires emergency action, has promulgated administrative rules which provide for such action and incorporates a finding regarding the emergency in its order, emergency actions may be ordered pending the final outcome of proceedings instituted . . .

5. The Board’s rules in OAC 210:1-5-6(e) provides:

Pursuant to 75 O.S. § 314.1, in the event the State Board of Education finds that public health, safety, or welfare imperatively requires emergency action, the State Board of Education may issue an emergency order summarily suspending a certificate pending an individual proceeding for revocation or other action. Such proceedings shall be promptly instituted and determined. Such an order shall include specific findings of fact specifying the grounds for the emergency action. Within three (3) business days of the issuance of the order by the Board, a copy of the order shall be sent to the holder of the certificate via certified or registered mail, delivery restricted to the certificate holder, with return receipt requested.

6. Oklahoma law and Board rules provide that a certificate shall be revoked for a “willful violation of a rule or regulation of the State Board of Education, a willful violation of any federal or state law...or for other proper cause.” *See* 70 O.S. § 6-189(F); *see also* OAC 210:1-5-6(b).

7. Further, the Board’s rules provide that “[t]eachers are charged with the education of the youth of this State. In order to perform effectively, teachers must demonstrate a belief in the worth and dignity of each human being, recognizing the supreme importance of the pursuit of truth, devotion to excellence, and the nurture of democratic principles.” *See* OAC 210:20-29-1(b). (Emphasis added).

8. Through their conduct, teachers must demonstrate the respect of their students, such being a responsibility that is inherent in the profession. *See* OAC 210:20-29-2.

9. In addition, a teacher shall “strive to help each student realize his or her potential as a worthy and effective member of society.” *See* OAC 210:20-29-3. In fact, in fulfillment of the obligations to the student, a teacher shall:

- a. make reasonable effort to protect the student from conditions harmful to learning or to health and safety
- b. not intentionally expose the student to embarrassment or disparagement. *Id.*

10. Additionally, the Board’s rules, at OAC 210:20-29-4, provide:

- a. The teaching profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.
- b. In order to assure that the quality of the services of the teaching profession meets the expectations of the State and its citizens, the teacher shall exert every effort to raise professional standards, fulfill professional responsibilities with honor and integrity, promote a climate that encourages the exercise of professional judgment, achieve conditions which attract persons worthy of the trust to careers in education, and assist in preventing the practice of the profession by unqualified persons.

11. Board rules expressly state that “[i]n fulfillment of the obligation to the student, the teacher shall not use professional relationships with students for private advantage.” *See* OAC 210:20-29-3.

12. It has been held by Oklahoma courts that “a teacher...in the public school system is regarded by the public and pupils in the light of an exemplar, whose words and actions are likely to be followed by the children coming under her care and protection.” *Vaughn v. Board of Bar Examiners for the Oklahoma Bar Association*, 1988 OK 87, 759 P.2d 1026, 1030. The teaching profession, not unlike the legal profession, imposes a code of ethics upon its members. *Id.*

13. That based upon the information and evidence presented, and the foregoing authority, proper cause exists to suspend the Teaching Certificate and certification number 435574 of Jacob Collins.

14. Board rules further provide that upon the filing of an application to suspend and/or revoke a certificate, the Board, at its discretion, may utilize a hearing officer to conduct the hearing and such individual shall be appointed by the Chairperson of the Board. *See* OAC 210:1-5-6(f)(1).

WHEREFORE, in light of the foregoing, and after due consideration of the evidence and matters officially presented, the Board hereby finds that the public health, safety, or welfare imperatively requires emergency action such that good cause exists for the Application and that the Application should be granted. As such, effective immediately, the Oklahoma Teaching Certificate of Jacob Collins is hereby suspended pending an individual proceeding for revocation or other action, effective February 1, 2021 or thereafter as determined by the Board.

IT IS SO ORDERED.



Joy Hofmeister
Chairperson
Oklahoma State Board of Education