



BEFORE THE NEBRASKA PROFESSIONAL PRACTICES COMMISSION  
STATE OF NEBRASKA

Damien L. Mapel  
20006 Pearl Street  
Elkhorn, NE 68022

Petitioner,

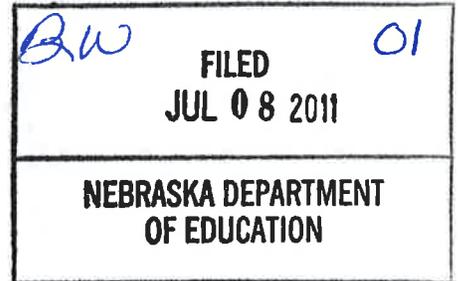
vs.

Roger Breed, Ed.D.  
Commissioner of Education  
301 Centennial Mall South - 6<sup>th</sup> Floor  
P.O. Box 94933  
Lincoln, NE 68509-4933,

Respondent.

N.P.P.C. Case No. 11-01

Findings Of Fact, Conclusions  
Of Law, And Recommendation  
of the Commission



I. STATEMENT OF THE CASE

This case commenced before the Professional Practices Commission, hereinafter referred to as the “Commission,” with the filing of a Petition for Reinstatement on January 3, 2011, by Damien Mapel, hereinafter referred to as the “Petitioner.” The Petition was filed against Roger Breed, Commissioner of Education, Department of Education, State of Nebraska, hereinafter referred to as the “Commissioner.”

The Petition alleges that the Petitioner’s public school certificate number XXX-XX-6267, was revoked by the State Board of Education on the 3rd day of February, 2006 for a period of five years. The Petitioner further alleges that he has been employed during the majority of the term of his revocation at: Tiger-Rock Martial Arts Academy in Omaha, NE and Grove Enterprises, Inc. in Fort Calhoun, NE. The Petitioner further alleges that he has fully complied with the Order of Revocation, that he will not in the future engage in any practice which is listed in the statutes or regulations as grounds for revocation or suspension of a certificate, and that he is familiar with the Criteria of Professional Practices adopted pursuant to Neb. Rev. Stat. Section 79-868(2) (Reissue 2003).

On February 28, 2011, the Commissioner, through his General Counsel, filed an Answer to said Petition, admitting the revocation of the Petitioner’s certificate and attaching a copy of the Final Order of Revocation to the Answer. He asked that the Commission hold a

public hearing on the Petition and make an appropriate recommendation to the State Board of Education as is warranted by the evidence.

On or about March 2, 2011, Kathi Vontz, Clerk of the Commission, filed a Notice of Hearing which was sent to the Petitioner by U.S. Mail, postage prepaid and delivered by hand a copy of the same to the Commissioner's General Counsel. The Notice of Hearing advised that a public hearing on the Petition and Answer would be held on the 15<sup>th</sup> day of March, 2011, commencing at approximately 9:15 a.m., in the State Board Hearing Room, 6th Floor, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. The Notice further advised that the hearing would be held before a designated hearing committee of the Commission, with Samuel Van Pelt serving as legal counsel to advise the Chair in the performance of his duties.

The Petition and Answer came on for hearing at approximately 9:15 a.m. at the above time and place before a Hearing Panel of the Commission consisting of Commission Members Susan J. Anglemeyer, Robert Beck, Sarah Brown, Susan Johnson, Raymond Keller, Jodi Kupper, Brian Maher, Cindy Serfass, Karen Shelton, Lana Sides, Jane Stavem and Lynn Strack. Commissioner Beck served as Chairperson. The proceedings were reported by Wendy Cutting of General Reporting Services, Lincoln, Nebraska. The Petitioner appeared in person. The Commissioner appeared by his General Counsel, Brian L. Halstead. Exhibits and testimony were received in evidence. Thereafter, the Petitioner and the Commissioner's General Counsel made their closing arguments.

Thereupon, the Commission adjourned and deliberated based on the record before it, and makes the following Findings of Fact, Conclusions of Law, and Recommendation to the State Board of Education:

## II. FINDINGS OF FACT

1. The Petitioner, previously held a public Nebraska public initial teaching certificate, number XXX-XX-6267, endorsed in Elementary Education K-6, with an expiration date of August 31, 2007.

2. From the date of revocation until the date of the hearing, the Petitioner has not violated any laws, and has been gainfully employed.

3. The Petitioner has met the requirements of Neb. Rev. Stat., Section 79-1282 (Supp.1996) and Title 92, Nebraska Administrative Code, Chapter 21, for the issuance of teaching certificates, all as required by Neb. Rev. Stat. Section 79-869 (Supp.1996). The Petitioner understands those requirements and has stated that he will not violate nor fail to comply with any of the same if he is issued a new teaching certificate.

### III. CONCLUSIONS OF LAW

1. The Commission has jurisdiction in this case and all proceedings have been in accordance with applicable Constitutional, Statutory, and Regulatory Requirements.

2. The Petitioner has proven by a preponderance of the evidence that he has met all the requirements of Neb. Rev. Stat. Section 79-806 through 79-815 (Reissue 2003), and Title 92, Nebraska Administrative Code, Chapter 21, for the issuance of a Nebraska teaching certificate, all as required by Neb. Rev. Stat. 79-869 (Reissue 2003).

3. The Petitioner has further proven by a preponderance of the evidence that he should be allowed to apply to the State Department of Education for the issuance of a new teaching certificate.

### IV. RECOMMENDATION

Therefore, the Commission respectfully recommends to the State Board of Education that Damien Mapel has met all of the statutory and regulatory requirements for the issuance of a Nebraska public schools teaching certificate, and that he accordingly be allowed to apply for the same before the Commissioner of Education, State of Nebraska.

Dated this 8<sup>th</sup> day of July, 2011.



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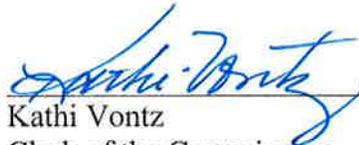
Robert Beck, Chairperson  
Hearing Committee  
Nebraska Professional Practices Commission

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Findings of Fact, Conclusions of Law, and Recommendation of the Commission was served upon Petitioner, Damien Mapel, by U.S. Mail, postage prepaid. It was also hand delivered to Brian Halstead, General Counsel for the Commissioner, on this 8<sup>th</sup> day of July, 2011, at the following addresses.

Damien Mapel  
Petitioner  
20006 Pearl Street  
Elkhorn, NE 68022

Brian L. Halstead  
Attorney for Respondent  
301 Centennial Mall South  
Lincoln, NE 68528

  
Kathi Vontz  
Clerk of the Commission





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I N D E X

WITNESSES:

Direct    Cross    Redirect    Recross

FOR THE PETITIONER:

Damien Mapel	8	11	--	--
Julie Jorgensen	13	15	--	--
Kenneth Rosa	16	17	--	--
Jenna Dudley	19	20	--	--

- - -

EXHIBITS:

Marked    Offered    Ruled On    Found

1 Pleadings (12 pages)	5	6	6	Appendix
2 Title 92, Nebraska Administrative Code, Chapter 27 (16 pages)	5	6	6	Appendix
3 Title 95, Nebraska Administrative Code, Chapter 2 (11 pages)	5	6	6	Appendix
4 Letters of Reference (8 pages)	5	7	7	Appendix

- - -

Appearances				2
Reporter's Certificate				4
Closing Statement by Mr. Mapel				21
Motion				29
Decision				30

- - -



1 PROCEEDINGS:

2 (Exhibits 1 through 4 were marked for  
3 identification.)

4 THE HEARING OFFICER: Ladies and gentlemen, I am  
5 Robert Beck, chairperson of this hearing panel of the  
6 Nebraska Professional Practices Commission. I convene this  
7 hearing at 9:47 a.m. for the purpose of receiving evidence  
8 on a petition filed by Damien Mapel, Petitioner, against  
9 Roger D. Breed, Commissioner of Education, Respondent, Case  
10 No. 11-01.

11 The other members of the hearing committee are  
12 Susan Anglemeyer, Sarah Brown, Susan Johnson, Raymond  
13 Keller, Jodi Kupper, Brian Maher, Karen Shelton, Lana Sides,  
14 Jane Stavem, Lynn Strack, and Cindy Serfass.

15 The court reporter is Wendy Cutting. Her purpose  
16 is to record the testimony of the witnesses and mark the  
17 exhibits.

18 The Clerk of the Commission is Kathi Vontz. Her  
19 purpose is administrative.

20 This case arises from a request by the State Board  
21 of Education that the Commission hear this matter pursuant  
22 to Sections 79-859 through 79-871 of the Nebraska statutes  
23 and the rules and regulations thereunder.

24 At this time, I ask the attorneys to enter their  
25 presence.

1 MR. MAPEL: Damien Mapel, 2006 Pearl Street,  
2 Elkhorn, Nebraska 68022.

3 MR. HALSTEAD: Brian Halstead, 301 Centennial Mall  
4 South, Sixth Floor, Lincoln, Nebraska 68509, on behalf of  
5 the Commissioner of Education.

6 THE HEARING OFFICER: At this time, if there are  
7 no objections, I will enter into the record the pleadings  
8 which are marked as Exhibit 1; the standards of ethics and  
9 competency, which is 92 Nebraska Administrative Code,  
10 Chapter 27, and marked as Exhibit 2; and the regulations  
11 concerning teacher and administrative certificate  
12 reinstatement, which is 95 Nebraska Administrative Code,  
13 Chapter 2, and is marked as Exhibit 3. Are there any  
14 objections?

15 MR. HALSTEAD: I have no objections to Exhibits 1,  
16 2, and 3.

17 MR. MAPEL: Oh, no objection, sorry.

18 THE HEARING OFFICER: Exhibits 1, 2, and 3 are  
19 received.

20 (Exhibits 1 through 3 were received in evidence.  
21 See Index.)

22 You may give an opening statement if you would  
23 choose.

24 MR. MAPEL: I'd like to waive the opening  
25 statement.

1 THE HEARING OFFICER: Is there any evidence that  
2 you would like to present to the Commission?

3 MR. MAPEL: Yes, I do. I have letters of  
4 recommendation that I'd like to present.

5 THE HEARING OFFICER: You may do so.

6 Do you have any objections?

7 MR. HALSTEAD: I have no objections to Exhibit No.  
8 4, which is a compilation of letters that Mr. Mapel shared  
9 with me before the hearing. I have no objections to the  
10 Commission receiving them or reviewing them as part of this  
11 hearing.

12 THE HEARING OFFICER: No. 4 is received, then.

13 (Exhibit 4 was received in evidence. See Index.)

14 Again, I'll give the Commission a couple of  
15 minutes to look over them.

16 (Off the record.)

17 THE HEARING OFFICER: Anyone need any more time?

18 (No response.)

19 Did you have any other evidence?

20 MR. MAPEL: No physical evidence, just testimony.

21 THE HEARING OFFICER: Would the court reporter  
22 please swear him in, then?

23 THE REPORTER: Do you solemnly swear or affirm the  
24 testimony you're about to give will be the truth, the whole  
25 truth, and nothing but the truth?

1 MR. MAPEL: I do.

2 DAMIEN MAPEL

3 Called as a witness on his own behalf, having been  
4 first duly sworn, testified as follows:

5 THE HEARING OFFICER: Go ahead.

6 DIRECT TESTIMONY

7 BY MR. MAPEL:

8 Good morning, ladies and gentlemen of the  
9 Commission. Thank you for this opportunity. I do greatly  
10 appreciate it.

11 Starting off, I was employed by the Omaha Public  
12 School District from August of 2002 through 2005. And then,  
13 on January 23<sup>rd</sup>, 2005, I was involved in an automobile  
14 accident in which I was driving under the influence of  
15 alcohol, and two of the passengers were severely injured and  
16 resulted in a felony conviction for those actions. As a  
17 result, the Nebraska State Board of Education did revoke my  
18 teaching certificate for five years from February 2006 to  
19 February 2011. I was sentenced to three years probation  
20 with 100 hours of community service and my license had been  
21 revoked for 90 days. So, today's purpose is to -- I'm  
22 seeking reinstatement for my elementary school teaching  
23 certificate.

24 How have I rehabilitated myself? One, I've

25 completed all conditions of my probation and was granted

1 early release on October 7<sup>th</sup> of 2008. I followed all the  
2 orders of the revocation of my teaching certificate and have  
3 not engaged in any behavior that would cause it to be  
4 revoked in the future. In fact, I've had no legal  
5 infractions since the unfortunate event in question. I've  
6 maintained consistent employment from the time of being  
7 released from my duties as a teacher, initially as a  
8 delivery driver for the Omaha Menards store, and then in  
9 July 2007, I became employed through the Tiger-Rock Academy  
10 in Omaha, Nebraska, at 2410 South 179<sup>th</sup> Street. I initially  
11 began my taekwondo training there in February of 2005. And  
12 my current responsibilities, I manage the day-to-day  
13 operations of the Tiger-Rock Academy at 12309 West Maple  
14 Road in Omaha, Nebraska. I'm the lead instructor. I am  
15 responsible for the day-to-day operations from cleaning to  
16 clerical data entry, answering the phones, marketing. I  
17 also teach all of the lessons Monday through Saturday, and I  
18 work with students beginning at age 4 and all the way  
19 through the age of adult students, and I've been doing that  
20 for the past three years. That is my current position.

21 My community service involvement has relied  
22 mainly, initially, with the court order. I worked at the  
23 Goodwill Store in Omaha, Nebraska, at 180<sup>th</sup> and Pacific for  
24 100 hours. That's where they were completed, through April  
25 26<sup>th</sup> of 2006 through April of 2007. And on a consistent and

1 regular basis, I provide the opportunity for public safety  
2 seminars free of charge, mainly for Girl Scout troops at  
3 request. We also have a Partners in Learning program  
4 through the Tiger-Rock Martial Arts International, in which  
5 case we go into the public school classrooms and discuss the  
6 importance of listening and focus, stranger awareness, and  
7 proper nutrition as a community service benefit through our  
8 program.

9 My vision, after all this, what I've been doing to  
10 work with students -- I realize I have a distinct passion  
11 for educating and helping people, setting goals and  
12 achieving those goals, whether they're four years old,  
13 whether they're adults, and seeing the true potential within  
14 anybody. And I realize that obviously, some unfortunate  
15 circumstances have occurred, yet I am still in an education  
16 capacity. I am still in a capacity in which parents trust  
17 me with their children on a daily basis. I am in a capacity  
18 where students who are adults trust me on a daily basis. My  
19 only desire moving forward is to help people and to educate  
20 them. Currenltly, the subject matter I work with happens to  
21 be taekwondo, but I feel that I could be a very effective  
22 teacher in the public school setting as well, which is why  
23 I'm here today seeking that reinstatement of my public  
24 school teaching certificate. So, I have a vision for the  
25 future to help our students become the citizens that we hope

1 they would become, which is my philosophy in all of my  
2 education, whether I'm teaching taekwondo or whether I would  
3 be part of an elementary school classroom or in any other  
4 capacity in which I was instructing students. I want to  
5 help them learn and I want to help them see the true  
6 potential that lies within. Even if they don't see it yet,  
7 I want to help them get there.

8 I also do have other witnesses that I brought to  
9 testify on my behalf today as well.

10 THE HEARING OFFICER: Go ahead and call your other  
11 witnesses.

12 MR. HALSTEAD: First, Mr. Beck --

13 THE HEARING OFFICER: Yes?

14 MR. HALSTEAD: Could I cross-examine Mr. Mapel to  
15 get his testimony before others start?

16 THE HEARING OFFICER: Certainly, sorry. Let's go  
17 ahead.

18 MR. HALSTEAD: Thank you.

19 CROSS-EXAMINATION

20 BY MR. HALSTEAD:

21 Q Mr. Mapel, you listed a whole number of activities  
22 you've been involved in. I wanted to ask you, have you  
23 taken any college credit courses or any professional  
24 development activities related to the teaching certificate  
25 you used to hold?

1           A     Yes.  No college courses, but through the  
2 Tiger-Rock Martial Arts International, we are required to  
3 have continuing education and development in regard to  
4 teaching, curriculum, implementation, and lesson planning.  
5 So, it is very, very similar to the educational development,  
6 but it has not been through college-level courses, but  
7 to -- we have to renew our certification on an annual basis  
8 and that is required by all Level 4 certified instructors.

9           Q     Now, you realize, if, in fact, this Commission  
10 recommends to the State Board and the State Board reinstates  
11 your eligibility for a certificate, you may need to take  
12 college credit courses in order to get another teaching  
13 certificate.

14          A     Yes.

15          Q     You're aware of that?

16          A     Yes.

17          Q     And are you prepared to do that if, in fact,  
18 you're given the opportunity?

19          A     Yes, sir.

20               MR. HALSTEAD:  I don't have any more questions,  
21 thank you.

22               THE HEARING OFFICER:  Go ahead and call your  
23 witnesses.

24               MR. MAPEL:  Julie Jorgensen.

25               THE REPORTER:  Will you raise your right hand,  
08.11.11 State Board of Education 7.11-17

1 please? Do you solemnly swear or affirm the testimony  
2 you're about to give will be the truth, the whole truth, and  
3 nothing but the truth?

4 MS. JORGENSEN: I do.

5 JULIE JORGENSEN

6 Called as a witness on behalf of the Petitioner,  
7 having been first duly sworn, testified as follows:

8 DIRECT EXAMINATION

9 BY MR. MAPEL:

10 Q Please state your name and address and how you  
11 know me for the Commission.

12 A Julie Jorgensen, 6224 North 159<sup>th</sup> Circle, Omaha,  
13 Nebraska 68116. I know Mr. Mapel from Tiger-Rock Academy.  
14 We've known him for two and a half years. That's where both  
15 of my children and now my husband and I train as well.

16 Just go ahead?

17 Q Do you have any other statements on my behalf?

18 A Yes, I do. Like I said, I've known Mr. Mapel for  
19 two and a half years. He does an amazing job with all  
20 children. There are children within the Tiger-Rock family  
21 that are exceptional students. They're at the top of their  
22 class. There's also those students that are struggling  
23 and/or may be a special needs type of child. His approach  
24 is catered to each one of those children. They all excel at  
25 their level and the abilities that they have. I've seen him

1 take a group of 50 children or so, and work with them  
2 independently at the same time as a group. He conducted my  
3 son's birthday party, which was an amazing feat. There were  
4 30 kids. There wasn't any yelling and screaming, and it was  
5 calm and cool. Everybody had a great time. So, his ability  
6 to have a good time, teach the kids what they need to teach,  
7 as well as keep order was exceptional. I was very  
8 impressed, and I continue to promote those birthday parties  
9 because of that.

10 I would entrust my children to him in an  
11 educational base as well as at the taekwondo. I'm very  
12 involved with my kids' school. I'm former PTA president as  
13 well as vice-president this year, have a lot of interaction  
14 with the teachers, a lot of interaction with the principal.  
15 I know what I'm looking for when I'm looking for a good  
16 teacher and I believe Mr. Mapel carries all those  
17 characteristics and would actually request him if he was in  
18 our school. So, regardless of his past mistakes, which  
19 we've all made, I would entrust him to not only educate my  
20 children, but transport them wherever they need to go, to do  
21 what they need to do, because he is an exceptional person  
22 and provides the right amount of care and goal setting and  
23 structure to make a well-rounded teacher.

24 Are there any questions?

25 THE HEARING OFFICER: Did you have any questions

1 for her?

2 MR. HALSTEAD: Did you want to follow up with her?

3 MR. MAPEL: I think she said it all.

4 CROSS-EXAMINATION

5 BY MR. HALSTEAD:

6 Q Ms. Jorgensen, you mentioned his past mistakes.  
7 Were you familiar with his felony drunk driving conviction  
8 and what that involved?

9 A Not completely. I had heard of it.

10 Q And where did you hear of that?

11 A Through another parent.

12 Q Did you ever ask Mr. Mapel about it?

13 A I didn't, because I had seen him in the capacity  
14 that I saw him in, and it was not a factor in my trust in  
15 him with my children. He did a great job and that's all  
16 that matters.

17 MR. HALSTEAD: I don't have any more questions.

18 MR. MAPEL: Thank you, Ms. Jorgensen.

19 THE HEARING OFFICER: Go ahead and call another  
20 witness.

21 MR. MAPEL: Okay. I'd like to call Ken Rosa.

22 THE REPORTER: Do you solemnly swear or affirm the  
23 testimony you're about to give will be the truth, the whole  
24 truth and nothing but the truth?

25 MR. ROSA: I do.

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KENNETH ROSA

Called as a witness on behalf of the Petitioner,  
having been first duly sworn, testified as follows:

DIRECT EXAMINATION

BY MR. MAPEL:

Q Mr. Rosa, would you state your name, address, how  
you know me, and any statements on my behalf that you wish  
to give.

A Certainly. Kenneth James Rosa, 15435 Hamilton  
Street, Omaha, Nebraska 68154. How do I know Mr. Mapel? I  
was his college roommate, have known him for over ten years.  
He teaches my daughter at taekwondo and is a very close  
family friend.

Okay, any statements on Mr. Mapel's behalf, first  
of all, I've known Damien for over ten years. He's a very  
close family friend. He held my daughter the day she was  
born. He's been to my house. He teaches her taekwondo. I  
also hold a current State of Nebraska teaching certificate,  
taught for Omaha Public Schools for six years, and worked  
for Boys Town for four. So, I know what it takes to work  
with kids and I know that the real question here that all of  
you are thinking about is character and due to his  
infractions before, due to the drunk driving conviction and  
his felony conviction.

I can speak to his character. Like I said, I have

1 known him for over 10 years. I would trust him with my  
2 daughter any day of the week, 24 hours a day, seven days a  
3 week. He's great with her. I have no qualms about him  
4 having learned his lesson. I knew him before the  
5 infraction. I know him after. I was actually the first  
6 call he made after the infraction, so I know that he has  
7 learned his lesson. I know everything he's gone through.  
8 And I believe he's a better person today than he was then.

9 In regards to reinstating his teaching certificate  
10 to teach in a public school, I have, being a certified  
11 educator also, I have no qualms with it. I believe he'll be  
12 fantastic at it like he was before, and that there are no  
13 ethical issues, no character issues or anything like that  
14 having to do with that. I've also seen him teach taekwondo  
15 in the setting with my daughter and other students. And he  
16 is amazing. You can tell that he cares. You can tell that  
17 he's passionate.

18 And that's all I have for right now. Any  
19 questions?

20 THE HEARING OFFICER: Members of the Commission  
21 have questions?

22 CROSS-EXAMINATION

23 BY MR. HALSTEAD:

24 Q Mr. Rosa, you said you've known the petitioner for  
25 ten years, since college, basically.

1 A Over ten years, yes.

2 Q Did you know Ashley Gibson or Benjamine Bracken?

3 A I knew Benjamine Bracken.

4 Q Because Benjamine was one of the passengers --

5 A Correct.

6 Q -- who was seriously injured in the accident.

7 A Correct.

8 Q And I probably should have asked the petitioner  
9 about that. Have you had any interactions with Mr. Bracken  
10 since that incident?

11 A No, I have not.

12 Q You don't know his current status or state?

13 A All I know is through Mr. Mapel that he recovered.

14 MR. HALSTEAD: I don't have any more questions.

15 MR. MAPEL: Thank you, Mr. Rosa.

16 THE HEARING OFFICER: Do yo have any other  
17 witnesses?

18 MR. MAPEL: I have one more.

19 THE HEARING OFFICER: Go ahead.

20 MR. MAPEL: Jenna.

21 THE REPORTER: Will you raise your right hand,  
22 please? Do you solemnly swear or affirm the testimony  
23 you're about to give will be the truth, the whole truth, and  
24 nothing but the truth?

25 MS. DUDLEY: I do.

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JENNA DUDLEY

Called as a witness on behalf of the petitioner,  
having been first duly sworn, testified as follows:

DIRECT EXAMINATION

BY MR. MAPEL:

Q If you would just state your name, address, how  
you know me, and any statements on my behalf that you wish  
to make, please.

A My name is Jenna Dudley. I live at 10190 Garvin  
Road in Omaha, Nebraska 68122.

I have been a teacher for 19 years, and two years  
ago, my husband and I enrolled our two sons who are now six  
and eight into taekwondo. So, I've had the opportunity to  
observe Mr. Mapel through the glass, as Marie Clay would say  
with Reading Recovery, three to four times a week for two  
years.

There are three reasons I believe you should  
reinstate Mr. Mapel. The first is, he is great at his  
subject matter. He knows it inside and out. He competes  
nationally and has won awards and his passion for taekwondo  
shows in each lesson.

The second is that he is organized. Every lesson  
is well thought out and clearly executed, and he captures  
his students' attention.

The third is relationships. Mr. Mapel is

1       respected by his students and he treats his students with  
2       dignity. We had testing last week and one student didn't  
3       pass his test, so he wasn't able to go from red belt to  
4       black belt. And Monday I was sitting in the lobby looking  
5       through the glass, and Mr. Mapel kneeled down and looked at  
6       that student eye-to-eye and it was very clear that he was  
7       encouraging him, building him up.

8               Mr. Mapel is an excellent role model who inspires  
9       self-esteem. He encourages students to be the best that he  
10      can be. And as a parent and a teacher of elementary  
11      students, it would be an honor to have him teach my children  
12      or to have him be a colleague.

13              THE HEARING OFFICER: Brian, did you have any  
14      questions?

15                              CROSS-EXAMINATION

16      BY MR. HALSTEAD:

17              Q     You said you'd been a teacher for 19 years. Where  
18      do you teach?

19              A     I teach at Brownell-Talbot in Omaha, and I teach  
20      second grade.

21              Q     Currently hold a Nebraska teaching certificate?

22              A     Yes, I do.

23              MR. HALSTEAD: Don't have any more questions.

24              THE HEARING OFFICER: Thank you.

25              Did you have any closing statements or anything

1 else you'd like to share?

2 MR. MAPEL: Yes, I would. In closing, humbling  
3 would be an understatement. In that moment, I recognized my  
4 life was going to change forever. I am eternally sorry for  
5 the pain that I caused to the two passengers. By the grace  
6 of God, they did survive and have fully recovered. And the  
7 one thing I learned is things can change in a split second  
8 whether by our own hand or life in general. And the only  
9 thing we can do is learn from it and become better people  
10 because of it. And I feel like I'm a better person today  
11 than I was then. Obviously, if I had it to do over again, I  
12 never would have gotten in the car. I take full  
13 responsibility for my actions.

14 If a parent were to walk up to me at the Academy  
15 and ask me directly, I would address it, and I would explain  
16 to them the circumstances. And I would accept whatever  
17 reaction they gave me. And fortunately, up to this point, I  
18 have not received any negative response. I've had a lot of  
19 understanding and support. I also realize that I could find  
20 somebody that is very upset and could get a different  
21 response. And I will take what comes should that happen.  
22 But it has helped mold me to who I am, to help students  
23 learn to appreciate what they do have. And it makes me  
24 appreciate what I do have, especially in those moments when

25 I think I don't have enough when I realize I have well more  
08.11.11 State Board of Education 7.11-26

1 than many.

2 And so I am grateful to just be sitting here  
3 today, and I really am truly thankful that you've heard me  
4 today, that you've evaluated the evidence and listened to my  
5 witnesses. And I trust that the decision that is right will  
6 be made, whatever that may be. And I'm willing to accept  
7 the results of that. But I am glad to be where I'm at  
8 today, and so, thank you.

9 THE HEARING OFFICER: Did you have any --

10 MR. HALSTEAD: I have no closing.

11 THE HEARING OFFICER: Did any members of the  
12 Commission have any questions for him?

13 Yes, ma'am.

14 COMMISSIONER SHELTON: Mr. Mapel, how have or have  
15 you had opportunity to resolve the issue of personal injury  
16 to those that were in the accident?

17 MR. MAPEL: Ben Bracken was a close -- is, I  
18 should restate. He does live in Cleveland, Ohio, right now  
19 and is gainfully employed through the Army Corps of  
20 Engineers and we have intermittent contact. Obviously, he's  
21 very busy and I'm very busy. Unfortunately, Ashley R.  
22 Gibson, the other passenger who was injured, I had just met  
23 that evening and I didn't have as much time to communicate  
24 with her as I would like, but I do know that insurance  
25 covered the medical expenses and she has made a full

1 recovery.

2 THE HEARING OFFICER: Any other questions?

3 COMMISSIONER KUPPER: I just want to make sure,  
4 the information that you submitted lists the employment at  
5 Tiger-Rock as dates of employment 7 of 2007 through 12 of  
6 2010.

7 MR. MAPEL: Okay, I'd like to address that,  
8 because I technically am currently employed there right now.  
9 What had happened, at the end of December, I did leave,  
10 because under the current ownership, the managing partner's  
11 values were drifting drastically away from my own. And  
12 understanding that unemployment is not a very desirable  
13 option, I put my principles first and I had to make a  
14 decision, and I left, because I could no longer work for  
15 that individual who has been since removed and moved on.  
16 And the ownership has been from Lincoln, Mr. Jeff Dousharm,  
17 who owns the Tiger-Rock academies here in Lincoln, actually  
18 owns the Omaha academies, as well. He took over full  
19 ownership, and then so at the end of January, basically  
20 January 31<sup>st</sup>, he resumed full control and then we have been  
21 in charge ever since. So, I resumed my current capacity.

22 That was a scary time being unemployed with no  
23 good option, is not anything I'd wish on anybody. I guess I  
24 could have looked back and said that, you know, I could have  
25 stuck it out, but I just -- I guess, ultimately, it came

1 down to service to my students. I could not risk letting  
2 them see the passion die and go from somebody they respected  
3 to some jerk to be honest, because it was starting to  
4 affect. It didn't show through entirely and probably a lot  
5 more than I realize, because I do realize today that some of  
6 the things that I just do get noticed and I may not think  
7 about it. So, I would hope that the students didn't see the  
8 negative side, and if they did, I'm truly sorry, but it was  
9 because what I had worked so hard to create, I would much  
10 rather be remembered for the good than the negativity. And  
11 so, leaving was the way to do the right thing at that time.

12 COMMISSIONER KUPPER: So, at the time you  
13 submitted the document, you had not returned.

14 MR. MAPEL: That is correct.

15 COMMISSIONER KUPPER: Okay, thank you.

16 THE HEARING OFFICER: Any other questions?

17 COMMISSIONER SIDES: You -- it says here you were  
18 driving under the influence. I assume it was of chemical or  
19 alcohol. Is that something you've resolved through  
20 rehabilitation?

21 MR. MAPEL: Well, I did attend AA meetings during  
22 the court-prescribed time. I do still occasionally have an  
23 alcoholic drink and I do drink responsibly now.

24 COMMISSIONER STAVEM: So, can you just clarify.

25 Part of the terms of your probation, was that to attend AA?  
08.11.11 State Board of Education 7.11-29

1 MR. MAPEL: Just the AA part?

2 COMMISSIONER STAVEM: Well, what -- let's rephrase  
3 that. What were the terms as part of treatment?

4 MR. MAPEL: Okay. My specific probation was three  
5 years with no alcohol, the 100 hours of community service,  
6 and then I was to attend, I believe, it was 75 to 100 AA  
7 meetings. And during that time, I met all conditions of my  
8 probation. I did not do, in any way, shape, or form have  
9 any alcohol. I was asked to drug test regularly through my  
10 probation officer and had a clean test every single time. I  
11 took this very seriously, for obvious reasons. I knew that  
12 when my decision came down, I was looking at ten years in  
13 prison. So, to have three years of probation and then  
14 understandably one of the things that stuck out in my mind  
15 is my probation officer was not real thrilled. She thought  
16 I got off easy, which, in reality, probably was true. So,  
17 in my mind, it was up to me to make sure the courts didn't  
18 look stupid for giving me that second chance. And when the  
19 courts do that, that affects everybody sitting here, the  
20 general public. So, I owed it to everyone sitting here to  
21 meet my responsibilities accordingly.

22 COMMISSIONER STAVEM: So, how would you define  
23 drinking responsibly now compared to before the accident?

24 MR. MAPEL: Limiting it to one or two drinks. In

25 the event that for whatever reason it's not safe to be  
08.11.11 State Board of Education 7.11-30

1 behind the wheel, having a friend drive me home.

2 COMMISSIONER SHELTON: Mr. Mapel?

3 MR. MAPEL: Yes.

4 COMMISSIONER SHELTON: In your management of the  
5 Tiger-Rock Academy, how many employees are you responsible  
6 for managing and the class sizes?

7 MR. MAPEL: It is a -- it's a small business, so  
8 am actually -- well, we just actually have a part-time  
9 employee that just started, but for the better part of the  
10 last three years, I'm it. So, I manage myself, but I'm  
11 responsible for all those operations. Typically, class  
12 sizes at this time have been ten to 15. They've been as  
13 large as 30 to 35 on given occasions. The way the academy  
14 is set up, if you have a membership and that's the class  
15 time you want to go to, you have access. So, if it happens  
16 to be one where you're the only person, you get an  
17 individual. If you show up and 49 of your friends show up,  
18 then you're in that size class. And so, I do have  
19 experience in managing large and small groups. The birthday  
20 parties are a great example of, in many cases, dealing with  
21 only one person who knows me and my expectations. So,  
22 dealing with the other group who don't have any  
23 understanding of what's expected, I'm fortunate to be able  
24 to at least communicate to them and still maintain fun and  
25 educational environment. As of right now, that would be

1 probably what I'm learning how to do, delegate more  
2 authority and responsibility, and some of the managers at  
3 the other location are going to help me with that and saying  
4 what this person needs to be doing so I can not do it all,  
5 if you will.

6 COMMISSIONER SHELTON: And on any given day, as  
7 far as your schedule goes, how many classes do you run?

8 MR. MAPEL: Typically five to six a day, since I  
9 don't have the schedule. And that's Monday through  
10 Saturday. Given work week is about 60 hours, so that's all  
11 I really have time for in many ways. So, probably about  
12 five or six lessons an evening. And we also do have an  
13 adult fitness program, our Kisado program, which is  
14 different than the taekwondo in that it's just fitness and  
15 people -- students who are there just mainly for workouts.  
16 Students who go to the taekwondo class are there for  
17 fitness, self-defense, and a multitude of reasons. And so,  
18 we meet those needs in a different capacity, so I get to  
19 shift gears in and out. I still have to be a good mentor, a  
20 good leader, and a positive motivator for all students,  
21 regardless of what class they're taking.

22 COMMISSIONER SHELTON: In those classes that you  
23 have parents that are watching, what percentage or number of  
24 parents do you say -- would you say stay to watch your  
25 instruction with their children?

1           MR. MAPEL: In the beginning, probably about 50  
2 percent or so. That's one of the benefits that as long as a  
3 student is picked up within ten minutes of the end of the  
4 lesson, so sometimes parents will take the opportunity to go  
5 run errands. We encourage parents to watch so they can see  
6 what their child's doing. They don't always get that same  
7 opportunity in the public school classroom, obviously,  
8 there's not room, for example, but -- so we do encourage  
9 parents. And if they choose to, then they have a better  
10 understanding.

11           THE HEARING OFFICER: Brian, did you have  
12 anything?

13           MR. HALSTEAD: No, I have nothing.

14           THE HEARING OFFICER: Anyone else?

15           (No response.)

16           Okay. The hearing committee will now adjourn and  
17 will consider the evidence. The hearing committee's  
18 decision will be reduced to writing. A copy of the hearing  
19 committee's findings, conclusions, and decision will be  
20 furnished to the parties. If the decision includes a  
21 recommendation to allow the petitioner to apply for a new  
22 certificate, the findings, conclusions, and recommendation  
23 will be presented to the State Board of Education.

24           I now declare this hearing adjourned at 10:21 a.m.

25           (Whereupon, the hearing was adjourned at 10:21

1 a.m. to be reconvened after executive session and  
2 deliberation of the evidence.)

3 (Back on the record 3:38 p.m.)

4 CHAIRPERSON MAHER: Is there a motion regarding  
5 the Commission's recommendation on Case No. 11-01? That is  
6 the Mapel case.

7 COMMISSIONER SERFASS: I move that the Nebraska  
8 Professional Practices Commission adopts the findings of  
9 fact and conclusions of law and recommend to the State Board  
10 of Education that Damien Mapel be allowed to apply for the  
11 issuance of a public school teaching certificate.

12 CHAIRPERSON MAHER: Is there a second?

13 COMMISSIONER BECK: Second.

14 CHAIRPERSON MAHER: Is there discussion on this  
15 one?

16 (No response.)

17 It has been moved and seconded to accept the  
18 findings of fact and conclusions of law and recommend that  
19 Mr. Mapel be allowed to apply for reinstatement of his  
20 certificate. Will the clerk please call the roll?

21 THE CLERK: Anglemeyer.

22 COMMISSIONER ANGLEMEYER: Yes.

23 THE CLERK: Beck.

24 COMMISSIONER BECK: Yes.

25 THE CLERK: Brown.

1 COMMISSIONER BROWN: Yes.

2 THE CLERK: Johnson.

3 COMMISSIONER JOHNSON: Yes.

4 THE CLERK: Keller.

5 COMMISSIONER KELLER: Yes.

6 THE CLERK: Kupper.

7 COMMISSIONER KUPPER: Yes.

8 THE CLERK: Maher.

9 CHAIRPERSON MAHER: Yes.

10 THE CLERK: Serfass.

11 COMMISSIONER SERFASS: Yes.

12 THE CLERK: Shelton.

13 COMMISSIONER SHELTON: Yes.

14 THE CLERK: Sides.

15 COMMISSIONER SIDES: Yes.

16 THE CLERK: Stavem.

17 COMMISSIONER STAVEM: Yes.

18 THE CLERK: Strack.

19 COMMISSIONER STRACK: Yes.

20 (Whereupon, at 3:39 p.m. on June 15, 2011, the  
21 proceedings were concluded.)

22 - - -

23

24

25



CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above Notice dated March 2, 2011, for Case Number 11-01, was mailed to Damien Mapel, Petitioner, by U.S. Mail postage prepaid, and delivered by hand to Brian Halstead, Attorney for the Respondent, on this 2nd day of March, 2011, at the following addresses.

Damien L. Mapel  
Petitioner  
20006 Pearl Street  
Elkhorn, NE 68022

Brian Halstead  
Attorney for Respondent  
301 Centennial Mall South  
Lincoln, NE 68509

  
Kathi Vontz  
Clerk of the Commission



BEFORE THE STATE BOARD OF EDUCATION  
STATE OF NEBRASKA

Douglas D. Christensen )  
Commissioner of Education )  
301 Centennial Mall South )  
Lincoln, NE 68509, )

Petitioner, )

v. )

Damien Mapel )  
14838 M Street )  
Omaha, NE 68137, )

Respondent. )

NDE Case No. 06-04

**FINAL ORDER**

This matter came before the State Board of Education ("State Board"), Lincoln, Nebraska, on February 3, 2006, upon the agreement of the parties, in accordance with Title 92, Nebraska Administrative Code, Chapter 28, Section 003.07 (effective date: December 25, 1989), that the public school certificate of the Respondent, Damien Mapel, be revoked for a period of five (5) years. The parties were notified of the State Board's consideration in this matter. Appearing before the State Board was Brian L. Halstead, General Counsel, who appeared on behalf of the Commissioner of Education. Attorney Rick Wade appeared on behalf of the Respondent.

The Settlement Agreement for Revocation of Certificate was received by the State Board into evidence as "Exhibit 1." The Notice of Disposition and the certified return receipts were received into evidence as "Exhibit 2." Upon its independent review of the record, the State Board finds, concludes, and orders as follows:



1. The State Board has jurisdiction in this case pursuant to Neb. Rev. Stat. Section 79-866 (Reissue 2003);

2. The Petitioner is Douglas D. Christensen, Commissioner of Education, 301 Centennial Mall South, P.O. Box 94933, Lincoln, NE 68509. The Respondent holds a Nebraska public initial teaching certificate, number -6267, endorsed in Elementary Education K-6, with an expiration date of August 31, 2007;

3. The Respondent was employed as a teacher by the Omaha Public Schools until his resignation was accepted by the Omaha School Board on or about December 21, 2005;

4. While employed by the Omaha Public Schools, the Respondent was found guilty by the Douglas County District Court of two counts of Driving Under the Influence-Causing Serious Bodily Injury, both Class IIIA Felonies, and was sentenced to three (3) years of probation;

5. The Respondent has violated Section 79-866(2) (Reissue 2003), which states in pertinent part: "The board may, for just cause, revoke or suspend any teacher's or administrator's certificate. Violation of the standards established pursuant to this section, commission of an immoral act, or conviction of a felony under the laws of this state shall constitute just cause for the revocation or suspension of a teacher's or administrator's certificate by the board"; Title 92, Nebraska Administrative Code, Chapter 27, Section 004.04E (effective date: November 12, 2003) ("the educator. . . shall not commit any act of moral turpitude or any felony under the laws of the United States or any state or territory, and shall not have a misdemeanor conviction involving abuse, neglect, or sexual misconduct as defined in Sections 003.12 through 003.14 of 92 NAC 21"); and Section 005.09D (effective

date: November 12, 2003) ("educators shall possess effective human and interpersonal relations skills and therefore . . . shall provide leadership and direction for others by appropriate example");

6. By a preponderance of the evidence, just cause exists pursuant to Neb. Rev. Stat. Section 79-866(2) (Reissue 2003) to revoke the Respondent's certificate for a period of five (5) years;

7. The public school certificate of Damien Mapel, number -6267, endorsed in Elementary Education K-6, with an expiration date of August 31, 2007, shall be revoked for a period of five (5) years beginning this date; and

8. Respondent shall satisfy all of the terms and condition of his probation as ordered by the Douglas Count District Court prior to seeking reinstatement of his Nebraska teaching certificate.

Dated this 3<sup>rd</sup> day of February, 2006.

STATE BOARD OF EDUCATION

BY:

  
Fred Meyer, President

The vote by the State Board of Education to approve the Final Order in Case No. 06-04, on February 3, 2006, was 8 in favor, \_\_\_\_\_ against, \_\_\_\_\_ abstaining, and \_\_\_\_\_ absent. Individual State Board members voted as follows:

IN FAVOR: F. Meyer, K. Imes, R. Evnen, A. Mactier, J. Scheer, C. Woods Harris, P. Timm, J. Higgins

AGAINST: \_\_\_\_\_

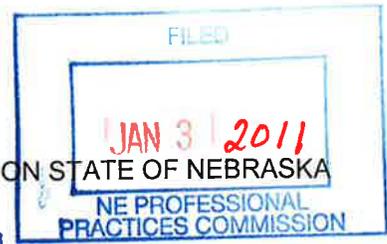
ABSTAINING: \_\_\_\_\_

ABSENT: \_\_\_\_\_

#### CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Final Order was served upon Damien Mapel, 14838 M Street, Omaha, Nebraska 68137, via United States mail; Attorney Scott Norby, 605 So. 14<sup>th</sup> Street, Suite 100, Lincoln, NE 68508, via United States mail; and Brian Halstead, General Counsel, Nebraska Department of Education, 301 Centennial Mall South, Lincoln, NE 68509, via interoffice mail, all on this 3rd day of February, 2006.

Brenda L. Wid



BEFORE THE NEBRASKA PROFESSIONAL PRACTICES COMMISSION STATE OF NEBRASKA

IN THE MATTER OF THE )  
REINSTATEMENT OF: )  
Damien L. Mapel )  
20006 Pearl St. )  
Elkhorn, NE 68022 )

Case No. 11-01  
PETITION FOR REINSTATEMENT

The undersigned Petitioner for reinstatement of a revoked Nebraska teaching, administrative and supervisory, or special services counseling public school certificate alleges:

1. Initial Teaching Certificate for the state of Nebraska; Endorsed in Elementary Education grades K-6; Social Security #: 494-82-6267
2. Final Decision of the Nebraska State Board of Education: 5 year revocation of Initial Teaching Certificate for 5 years. 02/03/2006-02/03/2011

3. Employment History:

Tiger-Rock Martial Arts Academy,  
12309 W. Maple Rd., Omaha, NE 68164  
(402) 933-9444  
Dates of employment: 07/2007-12/2010

Grove Enterprises Inc.  
P.O. Box 98  
Fort Calhoun, NE 68023  
(402) 880-3908, (402) 850-0622  
Dates of employment: 02/2006-07/2007

King Elementary (OPS)  
3706 N. Maple St.  
Omaha, NE 68111  
(402) 457-5723  
Dates of employment: 08/2002-01/2006

4. Witnesses:

Damien Mapel  
20006 Pearl St.  
Elkhorn, NE 68022  
(402) 598-0767

Ken Rosa  
15435 Hamilton St.  
Omaha, NE 68154  
(402) 871-6331

Jenna Dudley  
10190 Garvin Road  
Omaha, NE 68122  
(402) 573-5711

Julie Jorgensen  
6224 N. 159<sup>th</sup> Circle  
Omaha, NE 68116  
(402) 670-1087

5. Petitioner has fully complied with the Order of Revocation, that he will not in the future engage in any practice which is listed in the statutes as grounds for revocation or suspension of a certificate, and that he is familiar with the criteria of professional practices adopted pursuant to 79-1282.

Petitioner has successfully met all requirements of his probation as set forth by the district court in Douglas County. He was granted early release from his probation by the district court of Douglas County on 10/07/2008.

STATE OF NEBRASKA

Plaintiff,

FILE 165-736

vs.

SATISFACTION OF JUDGEMENT

DAMIEN L. MAPEL

AND SENTENCE

Defendant.

EARLY DISCHARGE

QP#: 2221342

THIS MATTER is before the Court on its own Motion pursuant to Neb. Rev. Stat. § 29-2264(1). The Court has been advised by the defendant's supervising probation officer that the defendant should be discharged from probation prior to the termination of his/her probation period.

Accordingly, the Court finds that the defendant has satisfactorily completed the conditions of his/her probation.

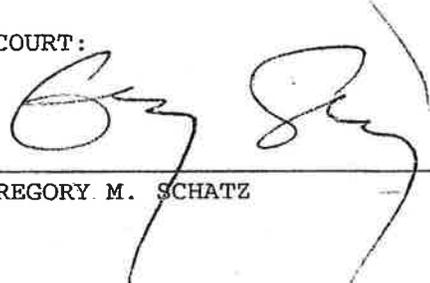
It is, therefore, ordered that the defendant be, and he/she hereby is, released from probation.

Pursuant to law, the defendant is hereby notified that his/her civil rights are not automatically restored as a result of his/her successful completion of probation. The defendant's voting rights are restored two (2) years after completion of probation. Restoration of any other civil rights is available to the defendant through the pardon process, which may be accomplished by submission of the appropriate application to the board of Pardons and the Board's issuance of a warrant of discharge.

A copy of this order is to be sent to the defendant by his/her supervising probation officer.

SIGNED this 7 day of Oct, 2008.

BY THE COURT:



JUDGE GREGORY M. SCHATZ

ZM/je

COPY

Applicant affirms the statements in this petition are, true, correct, and complete to the best of his knowledge and belief.

Dated this 28<sup>th</sup> day of January, 2011.

*Damien Mapel*  
(Signature of Petitioner)

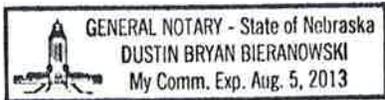
Damien Mapel  
20006 Pearl St.  
Elkhorn, NE 68022  
(402) 598-0767

State of Nebraska )  
County of Douglas )

I, Damien Mapel, being first duly sworn under oath, disposes and says that I am the Petitioner named in the foregoing Petition, that I have read it, know the contents therein, and that the facts therein contained are accurate and complete to the best of my knowledge and belief.

*Damien Mapel*  
(Signature of Petitioner)

Subscribed and sworn before me this 28<sup>th</sup> day of January, 2011.



*[Signature]*  
Notary Public

Certificate of service

I certify that a copy of the foregoing Petition, was served upon the Commissioner of Education, by certified mail, return receipt requested, at the following address:  
301 Centennial Mall South, P.O. Box 94933, Lincoln, NE 68509-4933.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Signature of Respondent

NEBRASKA DEPARTMENT  
OF EDUCATION

# RULE 27

REGULATIONS AND STANDARDS FOR  
PROFESSIONAL PRACTICES CRITERIA

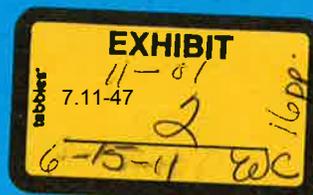
TITLE 92, NEBRASKA ADMINISTRATIVE CODE,  
CHAPTER 27

EFFECTIVE DATE  
November 12, 2003  
(REVISED)

State of Nebraska  
Department of Education  
301 Centennial Mall South  
Lincoln, Nebraska 68509  
Douglas D. Christensen, Ph.D.  
Commissioner



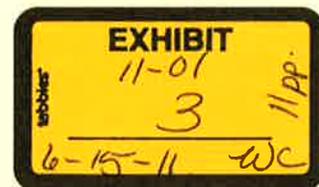
08.11.11 State Board of Education



# NEBRASKA PROFESSIONAL PRACTICES COMMISSION

TITLE 95, NEBRASKA ADMINISTRATIVE CODE,  
CHAPTER 2

REGULATIONS CONCERNING TEACHER AND  
ADMINISTRATOR CERTIFICATE REINSTATEMENT



Effective Date  
October 30, 1993

2/1/2011

Shawna Kasner-Hannam  
16023 Emiline St.  
Omaha, NE 68136

Damien Mapel  
20006 Pearl St.  
Elkhorn, NE 68022

Dear Nebraska Professional Practices Commission:

I am writing this letter of recommendation for Damien Mapel.

Mr. Mapel has been a martial arts instructor for the past three and a half years for our 7 year old son, Logan. He is a respected leader within the Tiger Rock Martial Arts organization, and he is Logan's favorite instructor.

Mr. Mapel is an excellent role model, and Logan has learned a great deal from him. This has occurred both inside and outside of the classroom, as Mr. Mapel has taught Logan much more than just martial arts. He has taught Logan many valuable and transferrable life skills.

Over the years I have seen Mr. Mapel teach, coach, and mentor many different kids. He truly cares about his students. Mr. Mapel is always extremely professional, and he is firm and fair with the students. However, he always makes learning fun for the students, and Logan looks forward to attending Mr. Mapel's classes.

There have been times throughout Logan's martial arts instruction where he has been challenged and stretched in ways we did not think were possible. This has caused a remarkable sense of accomplishment at some times and extreme frustration at other times. Mr. Mapel has a tremendous ability to sense of when a child is struggling and knows how to specifically help each student. Mr. Mapel personalizes his approach to get the best out of each of his students.

I trust Mr. Mapel completely. He operates with the highest degree of integrity, and teaches the importance of honesty and honor to his students.

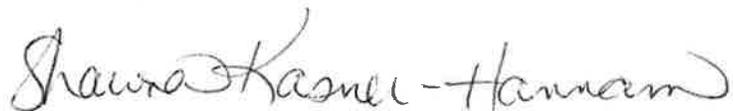
Mr. Mapel is a leader and a role model outside of the classroom as well. He devotes himself to planning and participating in extra-curricular activities with his students, as Logan has enjoyed socializing with Mr. Mapel at events such as roller skating parties, bonfires, and workouts in the



park. Mr. Mapel even personally organized and led our son's 7<sup>th</sup> birthday party for our family and friends at the Tae Kwon Do academy on a weekend. Logan was thrilled to have Mr. Mapel as such an important part of his special day.

I hope that the Nebraska Professional Practices Commission will consider reinstating Mr. Mapel's teaching license. He will truly be an asset to the teaching profession again and to any organization he joins.

Sincerely,

A handwritten signature in cursive script that reads "Shawna Kasner-Hannam".

Shawna Kasner-Hannam

Date: February 21, 2011

To: Nebraska Professional Practices Commission

Re: Damien L. Mapel  
Reinstatement of Teaching Certificate

To whom it may concern:

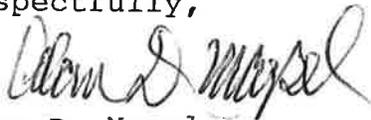
Damien Mapel has demonstrated a continued interest in teaching students during the past five years. He sought out and achieved promotion to Academy Director/Chief Instructor at Tiger-Rock Martial Arts Academy. Mr Mapel also enhanced his teaching credentials by practicing many hours to prepare for testing and advancing to 3rd degree black belt. He has made great strides in pursuing his goal of 9th degree black belt.

I want to congratulate Mr Mapel on his exemplary personal code of conduct during these past five years. He is a great example of someone who has learned from one of life's lessons.

Mr Mapel welcomes the day he resumes teaching in the Omaha Public Schools. His students are likely to excel in his classes because of his passion for educating. Further, his enthusiastic approach to learning encourages his students to set lofty goals and pursue them accordingly.

I highly recommend Mr Mapel's Nebraska Public Schools Teaching Certificate be reinstated at the earliest possible date.

Respectfully,



Alan D. Mapel  
11104 E. 49th Street  
Kansas City, MO 64133  
(816) 808-5127

January 25, 2011

Nebraska Professional Practices Commission  
301 Centennial Mall South  
Lincoln, NE 68508-2529

RE: Mr. Damien Mapel

To Whom It May Concern:

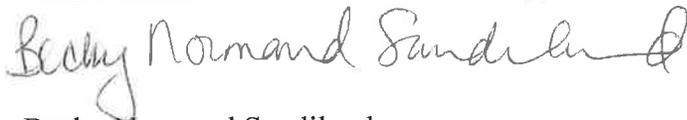
Mr. Damien Mapel has applied to have his Nebraska Teaching Certificate reinstated. It is my honor to recommend him for this privilege. Mr. Mapel has acted as a mentor for my two boys, ages 5 and 7, and I feel fortunate to have him in their lives.

Under his leadership and instruction of the Martial Art, Tae Kwon Do, my boys have quickly developed into confident young boys. The education and training revolves around 10 principles: Honor, Courtesy, Integrity, Perseverance, Self-Control, Courage, Community, Strength, Humility, and Knowledge. Through these principles, Mr. Mapel has demonstrated how one person can have such a positive impact on a community of children.

Through his excellent education at Creighton University, his time in the classroom from 2002-2006 and his mature growth through the ranks in Tae Kwon Do, he brings with him a package of knowledge we need in our education system today. Mr. Damien Mapel has a rare gift to connect with his students. The Nebraska education system and our community will greatly benefit from his return to the classroom.

I strongly recommend he be reinstated to teach Nebraska's children!

Respectfully,



Becky Normand Sandiland  
5701 N 160 Ave  
Omaha, NE 68116  
H 402.676.2167  
W 402.602.1528

To the Nebraska Professional

Practices Commission,

I would like to show my support for the reinstatement of Damien Mapel back into the teaching community. His legal record will show that this is his only infraction other than minor speeding tickets. He has completed his probation and all applicable punishments without any problems.

Before and after this incident Damien has been a model citizen in the Omaha community. His character and patience makes him an excellent role model for young students. Damien would be a welcomed member at any school as there are few male primary education teachers in the field.

Thank you for your time and consideration in the matter of Damien Mapel's reinstatement.

Sincerely,

Nathan Mapel

*Richard and Jacquelyn Vinci  
9936 Essex Drive  
Omaha, NE 68114*

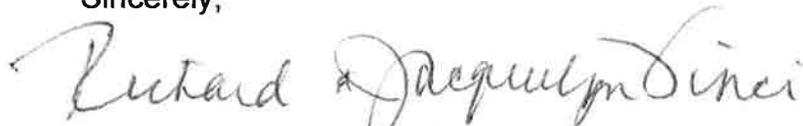
February 21, 2011

To Whom It May Concern:

We are writing on behalf of Damien Mapel whom we have known for almost three years in his position as an instructor at the Tiger Rock Academy in Omaha, NE. We have been impressed with his teaching skills over the years and the focused interaction between him and his many students of all ages. He is in control of his class and earns the respect of his students through consistency of being a caring professional and a skilled teacher. Our son started Tae Kwon Do instruction with Mr. Mapel and has excelled under his tutelage into a junior second degree green belt. Mr. Mapel has been a wonderful mentor for our son and we are proud of him for taking after his father who is a second degree black belt. Mr. Mapel has been instrumental in teaching him the core skills for achieving success in martial arts – discipline, courtesy, focus, and integrity. We are very grateful to Mr. Mapel for helping our son to thrive in his personal development through this structured art form.

We are happy to make this recommendation for Mr. Mapel and to quote President Obama in his recent State of the Union address, "If you want to make a difference in the life of a child, become a teacher, your country needs you."

Sincerely,

  
Richard and Jacquelyn Vinci

Nebraska Professional Practices Commission

RE: Damien L. Mapel

I am writing on behalf of Mr. Mapel, regarding the reinstatement of his teaching certificate. It has been my observation that despite the unfortunate event that caused Mr. Mapel to lose his certificate, he has continued to dedicate his life to the education of children of all ages. During this period of suspension he has continued to develop both personally and professionally. Mr. Mapel has achieved the level of third degree black belt in Tae Kwan Do. While disciplining himself, he also became a certified instructor of Tae Kwan Do and continued to develop his teaching skills. He has instilled discipline, skill and self- esteem in all of his students. Mr. Mapel has proven his continued dedication to education and his ability to work with students, parents and administration. In addition to instructing students, Mr. Mapel also developed administrative skills by managing the Tae Kwon Do Academy. I believe Mr. Mapel has developed an understanding and obtained a skill level that would make him an asset to any school district. Education of our children is the most important key to our future and Mr. Mapel has continued to be an integral part of that development outside of the traditional classroom setting. Because Mr. Mapel has overcome personal obstacles and continued his pursuit of educating children, I believe he would prove to be an excellent teacher in the traditional classroom.

I respectfully recommend the reinstatement of his teaching certificate.

Sincerely,

A handwritten signature in cursive script that reads "Theresa M. Mapel". The signature is written in black ink and is positioned above the printed name.

Theresa M. Mapel

Nebraska Professional Practices Commission:

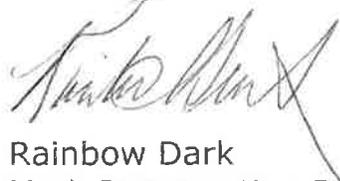
I am writing to express my recommendation that Damien Mapel have his Teaching Certificate reinstated. I met Mr. Mapel through his position as an instructor at Tiger Rock Martial Arts Academy. I have been a student as well as the parent of a student under Mr. Mapel's instruction for over 3 years.

As a student of TaeKwonDo, I have had firsthand experience with Mr. Mapel's teaching strengths. He is a thorough and patient instructor who excels in positive reinforcement. He is respectful and shows great attention to detail. His ability to answer questions and explain and simplify complicated techniques shows his talent for teaching. Mr. Mapel's help and encouragement has been a great asset to many students in their Martial Arts journey

Mr. Mapel has a wonderful way with children. His sense of humor and patience helps him to connect with his students on a personal level. He has excellent communication skills, is organized and shows great initiative with a positive attitude. Through our TaeKwonDo journey we are taught to follow several tenets. Among these are honor, courtesy, integrity, perseverance and self-control. Mr. Mapel gives us a great example of how these tenets should be followed by the way in which he teaches us and lives his life.

I recommend Mr. Mapel to you without reservation. If you have any further questions with regard to his background or qualifications, please do not hesitate to contact me.

Sincerely,



Rainbow Dark  
Math Intervention Paraprofessional  
Millard School District  
402-573-9118 (home)  
rainbowdark@earthlink.net