

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

In the Matter of the)	STIPULATION OF FACTS AND
Educator License of)	FINAL ORDER OF REPRIMAND
BRENDA ANN PROFITT)	

On or about October 2, 2015, the Teacher Standards and Practices Commission (Commission) received a report from the Morrow County School District indicating that Brenda Ann Profitt (Profitt) was suspected of violating District Policies and Professional Standards.

After review of the matters alleged, Profitt 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 of her Oregon educator license.

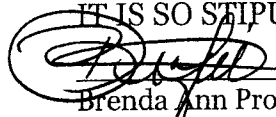
By signing below, Profitt acknowledges, understands, stipulates, and agrees to the following: (i) she has been fully advised of her rights to notice and a hearing to contest the findings of fact, conclusions of law, and order set forth below, and fully and finally waives all such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of 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 Profitt nor the Commission are bound by the terms herein; (iv) she has fully read this Stipulation and Final Order, and understands it completely; (v) she 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) she states that no promise or representation has been made to induce her to sign this Stipulation and Final Order; and (vii) she has consulted with an attorney regarding this Stipulation and Final Order and has been fully advised with regard to her rights thereto, or waives any and all

rights to consult with an attorney prior to entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order below.


STIPULATION OF FACTS

1. The Commission has licensed Brenda Profitt since August 26, 1998. Profitt's Standard Teaching License, with endorsements in Basic Elementary (O16), Basic ESOL (O17), and Standard Exceptional Learner I (O18), is valid from April 11, 2014, through April 10, 2019. During all relevant times, Profitt was employed by the Morrow County School District.
2. On October 2, 2015, the Commission received a district report indicating Profitt may have committed acts which constitute gross neglect of duty. Investigation determined that on August 30, 2015, Profitt used school district material and equipment to create, copy, scan and email materials not related to educational purposes in violation of school district policy. Also on August 30, 2015, Profitt created an official letter that described in detail multiple student's residency status, full names, and details about each student's special educational needs and status. Drafting and processing this letter using school materials and equipment was appropriate. In the process of conducting both her personal business and school business together, Profitt's letter disclosing the students protected information was later inadvertently mailed and delivered to many persons not entitled to receive the confidential material.

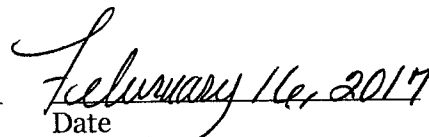
IT IS SO STIPULATED:



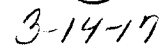
Brenda Ann Profitt



Dr. Monica Beane, Executive Director
Teacher Standards and Practices Commission



Date



Date

CONCLUSION OF LAW

Profitt's conduct as described 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 584-020-0025(2)(e) (*Using district lawful and reasonable rules and regulations*), OAR 584-020-0025(2)(c) (*Using and maintaining student records as required by federal and state law and district policies and procedures*); and OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(2)(e) (*Not use the district's or school's name, property, or resources for non-educational benefit or purposes without approval of the educator's supervisor or the appointing authority*).

The Commission's authority to impose discipline in this matter is based upon ORS 342.175.

ORDER

The Commission hereby adopts and incorporates herein the above findings of fact, conclusions of law, and based thereon hereby imposes a Public Reprimand on Brenda Ann Profitt's Oregon educator license upon adoption of this order.

Issued and dated this 7th day of April, 2017.

TEACHER STANDARDS AND PRACTICES COMMISSION
STATE OF OREGON

By Monica Beane

Dr. Monica Beane, Executive Director