

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

3 In the Matter of the ) STIPULATION OF FACTS AND  
4 Teaching License of ) FINAL ORDER OF REPRIMAND  
5 BRANCE BERNARD ECKLES )  
6

7 On or about May 1, 2009, the Teacher Standards and Practices Commission  
8 (Commission) received a report indicating possible inappropriate conduct by Brance  
9 Eckles, a teacher in the Scio School District.

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

13 By signing below, Mr. Eckles acknowledges, understands, stipulates, and agrees  
14 to the following: (i) he has been fully advised of his rights to notice and a hearing to  
15 contest the findings of fact, conclusions of law, and order set forth below, and fully and  
16 finally waives all such rights and any rights to appeal or otherwise challenge this  
17 Stipulation of Facts and Final Order of Public Reprimand (Stipulation and Final Order);  
18 (ii) this Stipulation and Final Order is a public document and disclosed to the public upon  
19 request by the Commission; (iii) this Stipulation and Final Order is contingent upon and  
20 subject to approval and adoption by the Commission. If the Commission does not  
21 approve and adopt this Stipulation and Final Order, then neither Mr. Eckles nor the  
22 Commission are bound by the terms herein; (iv) he has fully read this Stipulation and  
23 Final Order, and understands it completely; (v) he voluntarily, without any force or  
24 duress, enters into this Stipulation and Final Order and consents to issuance and entry  
25 of the Stipulated Final Order below; (vi) he states that no promise or representation has  
26 been made to induce him to sign this Stipulation and Final Order; and (vii) he has  
27 consulted with an attorney regarding this Stipulation and Final Order and has been fully  
28 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.

3 **STIPULATION OF FACTS**

4 1. Mr. Eckles has been licensed by the Commission since October 12, 2004.  
5 He currently holds an Initial I Teaching License issued June 29, 2009, that expires  
6 August 28, 2012, with endorsements in Language Arts, at the high school and middle  
7 level, and Multiple Subjects at the middle level. During all relevant times he was  
8 employed by the Scio School District.

9 2. During the 2008-2009 school year, Mr. Eckles engaged in an inappropriate  
10 game with students commonly referred to as the "flinching game." In this game he  
11 would feign a striking motion and if the student flinched, he would tap them on the  
12 shoulder as mock punishment.

13 3. Mr. Eckles' conduct, as described above in paragraph 2, led students to feel  
14 uncomfortable with such behavior.


15 4. Mr. Eckles' license expired on August 28, 2008. He did not apply for renewal  
16 of his license until April 8, 2009. He continued to teach in the Scio School District with  
17 an expired license during this time.

18 5. The Commission attempted to communicate with Mr. Eckles regarding the  
19 expiration and renewal of his license but was unable to because he failed to update the  
20 Commission of his change of employment.

21  
22 IT IS SO STIPULATED:

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24 \_\_\_\_\_  
25 Brance Bernard Eckles

28 Sept. 2010  
Date

26  
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28 \_\_\_\_\_  
29 Victoria Chamberlain, Executive Director  
30 Teacher Standards and Practices Commission

11-10-10  
Date

1 **CONCLUSION OF LAW**

2 1. Mr. Eckles engaged in the "flinching" game with students, as described in  
3 paragraph 2 above. This conduct constituted gross neglect of duty in violation of ORS  
4 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(1)  
5 (*Recognize the worth and dignity of all persons and respect for each individual*), OAR  
6 584-020-0010(5) (*Use professional judgment*), and OAR 584-020-0025(2)(a)  
7 (*Establishing and maintaining classroom management that is conducive to learning*).

8 2. The conduct described in paragraph 2 above constituted gross neglect of  
9 duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR  
10 584-020-0010(2) (*Encourage scholarship*), and OAR 584-020-0010(5) (*Use professional*  
11 *judgment*).

12 3. Mr. Eckles allowed his license to lapse, as described in paragraph 4 above.  
13 This conduct constituted gross neglect of duty in violation of ORS 342.175(1)(b); OAR  
14 584-020-0040(4)(r) (*Knowingly working without a license*) and OAR 584-020-0040(4)(n)  
15 as it incorporates OAR 584-020-0010(5) (*Use professional judgment*).

16 4. Mr. Eckles failed to update his contact information, as described in paragraph  
17 5 above. This conduct constituted gross neglect of duty in violation of ORS  
18 342.175(1)(b); OAR 584-020-0040(4)(k) (*Knowing violation of any order or rule of the*  
19 *Commission*) and OAR 584-050-0042(1) (2007) (*A license, registration or certificate*  
20 *holder must report changes of, employment, residential and email address to the*  
21 *Commission within 90 days of such change*).

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**ORDER**

The Commission adopts and incorporates herein the above findings of fact and conclusion of law, and based thereon, hereby imposes a Public Reprimand upon the Teaching License of Brance Bernard Eckles.

Issued and dated this 10 day of ~~August~~ *November*, 2010.

**TEACHER STANDARDS AND PRACTICES COMMISSION  
STATE OF OREGON**

By *Victoria Chamberlain*  
Victoria Chamberlain, Executive Director