

1                 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION

2                                 OF THE STATE OF OREGON

3 In the Matter of the  
4 Teaching License of

5 TODD MAXWELL BROWN

Case No.

STIPULATION AND  
ORDER OF SUSPENSION

6                 The Teacher Standards and Practices (Commission) issued a Notice of Denial of  
7 Teaching License on November 23, 2005 to Todd Maxwell Brown. Mr. Brown requested a  
8 hearing.

9                 After a review of the matters alleged, the Commission and Mr. Brown have agreed that  
10 their respective interests, together with the public interest, are best served by a stipulation to  
11 certain facts and the imposition of a suspension of Mr. Brown's teaching license.

12                 In entering into this stipulation, Mr. Brown waives his right to a hearing and understands  
13 that the Commission will suspend his teaching license for a period of thirty days. This  
14 stipulation and proposed order are contingent on approval by the full Commission. If the  
15 Commission does not approve this stipulation and order, it is understood that any waiver of  
16 rights by Mr. Brown is therefore revoked. It is further understood that the statements contained  
17 in this stipulation may not be used by either the Commission or Mr. Brown for any reason if the  
18 Commission fails to approve the stipulation and proposed order.

19                                 **STIPULATION OF FACTS**

20                 Mr. Brown and the Commission stipulate as follows:

21                 1. Mr. Brown holds a Standard Teaching License with a Standard Handicapped  
22 Learner endorsement. Mr. Brown has been employed as a special education teacher with the  
23 Bend-LaPine School District since June 1996.

1           2.       In March 2005, Mr. Brown supervised a party for his 16-year old stepson and  
2 permitted his stepson to consume alcohol at the party along with two other students who were  
3 under 21 years of age.

4           3.       As a result of the above incident, Mr. Brown was charged in Deschutes County  
5 Circuit Court with multiple counts of Furnishing Alcohol to a Minor. On April 27, 2005, Mr.  
6 Brown entered a guilty plea to one count of Furnishing Alcohol to a Minor, a Class A  
7 Misdemeanor. He was sentenced to twenty-four hours of work crew or community service and  
8 required to undergo alcohol evaluation and counseling, if necessary. Following the evaluation, it  
9 was determined that counseling was not necessary.

10          4.       On June 10, 2005, Bend-LaPine School District Superintendent Douglas Nelson  
11 reported Mr. Brown's conviction to the Commission. Superintendent Nelson also stated that Mr.  
12 Brown has been "an outstanding special education teacher" at the district. The Commission also  
13 received letters of support from Mr. Brown's principal and the special education director for the  
14 school district.

15 IT IS SO STIPULATED:

16 Todd Maxwell Brown  
17 Todd Maxwell Brown

3/2/06  
Date

18 Victoria Chamberlain  
19 Victoria Chamberlain, Executive Director  
20 Teacher Standards and Practices Commission

3-10-06  
Date

21 **CONCLUSION OF LAW**

22           Todd Maxwell Brown was convicted of furnishing alcohol to a minor, a Class A  
23 Misdemeanor, in Deschutes County Circuit Court. His conviction constitutes gross unfitness in  
violation of OAR 584-020-0040(5)(c).

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**DISCUSSION**

The Commission considers furnishing of alcohol or any other drug to a student to be a very serious offense that generally will entail suspension of a teaching license. In this case there are some mitigating circumstances. Mr. Brown supervised the party where the drinking occurred, and there is no evidence that any of the students attempted to drive a car or engage in other misconduct. In addition, Mr. Brown appears to have been an outstanding teacher and has the support of his school district. This appears to be an isolated incident of poor judgment. For these reasons, a fairly short period of suspension seems appropriate.

**ORDER**

The Oregon Teaching License of Todd Maxwell Brown is suspended for a period of thirty days from the date of this Order. Following reinstatement of his teaching license, Mr. Brown shall be placed on probation to the Commission for a period of one year. As a condition of probation, Mr. Brown shall comply for all Standards for Competent and Ethical Performance of Oregon Educators under OAR 584 Division 020.

IT IS SO ORDERED this 10 day of March, 2006

TEACHER STANDARDS AND PRACTICES COMMISSION

By: Victoria Chamberlain  
Victoria Chamberlain, Executive Director