

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

3 In the Matter of the ) STIPULATION OF FACTS,  
4 Teaching License of ) FINAL ORDER OF REPRIMAND  
5 RICHARD WARD ELLIOT ) AND PROBATION

6 On or about July 7, 2006, the Teacher Standards and Practices Commission (Commission)  
7 received a report from the parents of a student in the Newburg School District indicating that Richard  
8 Ward Elliot (Elliott) failed to maintain an appropriate student teacher relationship.

9 Mr. Elliot fully cooperated with the Commission's investigation. After review of the matters  
10 alleged, Mr. Elliot and the Commission agree that their respective interests, together with the public  
11 interest, are best served by a stipulation to certain facts, the imposition of a Public Reprimand and a  
12 two (2) year probation.

13 This document sets forth the facts upon which the parties have agreed and the stipulated  
14 sanction to be imposed. Mr. Elliot stipulates that there is sufficient evidence in the Commission's files  
15 and records to support the findings of fact, conclusions of law, and order set forth below.

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

1 advised with regard to his rights thereto, or waives any and all rights to consult with an attorney prior  
2 to entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order  
3 below.

4 **STIPULATION OF FACTS**

5 1. The Commission has licensed Richard Ward Elliott since August 31, 1987. Mr. Elliott  
6 currently holds a Standard Teaching License valid September 12, 2002, through October 3, 2007,  
7 with a Standard Music Endorsement.

8 2. Prior to the events giving rise to this order, the Commission has not received a complaint or  
9 a report regarding Mr. Elliott.

10 3. During the 2005-2006 school year in Newburg Public Schools Mr. Elliott held a student on  
11 his lap in the music room while he tickled her sides.

12 4. During the 2005-2006 school year in Newburg Public Schools Mr. Elliott swatted a female  
13 student on the bottom as she turned to leave his classroom.

14 IT IS SO STIPULATED:

15 Richard Ward Elliott  
16 Richard Ward Elliott

June 15, 2007  
Date

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

8-6-07  
Date

20 **CONCLUSIONS OF LAW**

21 Richard Ward Elliott violated OAR 584-020-0040(4)(l) by failing to maintain an appropriate  
22 professional student-teacher relationship with a female student attending Newburg High School when  
23 he held her on his lap and tickled her. This misconduct constitutes Gross Neglect of Duty. Richard  
24 Ward Elliott violated OAR 584-020-0040(4)(l) when he swatted a female student on the bottom. This  
25 misconduct constitutes Gross Neglect of Duty. The Commission has authority to impose discipline in  
26 this matter under ORS 342.120 through 342.430 and OAR Chapter 584.

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2 **ORDER**

3 The Commission hereby adopts and incorporates herein the above findings of fact and  
4 imposes a Public Reprimand on Richard Ward Elliott. This Stipulation of Facts, Order and Probation  
5 constitute the Reprimand.

6 Furthermore, the Commission imposes a two (2) year probation upon Mr. Elliott requiring that  
7 Mr. Elliott comply with all Standards for Competent and Ethical Performance under Oregon  
8 Administrative Rules, Chapter 584, Division 020.

9 Violation of the terms of this probation may constitute an independent basis for the  
10 Commission to impose discipline, up to and including revocation of Mr. Elliott's teaching license  
11 subject to Mr. Elliott's right to a hearing on the issue of whether he violated probation.

12 Issued and dated this 6<sup>th</sup> day of August, 2007.

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

15 By Victoria Chamberlain

16 Victoria Chamberlain, Executive Director