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

In the Matter of the) STIPULATION OF FACTS AND
Teaching License of) FINAL ORDER OF SUSPENSION
Michael B. Brannon)

On February 27, 2008, the Teacher Standards and Practices Commission (Commission) received a report indicating Michael E. Brannon (Brannon) was arrested for DUII. Upon review, it was determined that Brannon was arrested on May 6, 2006, for DUII and entered into a diversion agreement that was still pending when Mr. Brannon applied for licensure on June 14, 2007. Mr. Brannon failed to answer "yes" to character Question #9 regarding pending criminal offenses on the application.

After review of the matters alleged, Mr. Brannon 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 30 day suspension.

By signing below, Mr. Brannon acknowledges, understands, stipulates, and agrees to the following: (i) he has been fully advised of his 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 Suspension (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 Mr. Brannon nor the Commission are bound by the terms herein; (iv) he has fully read this Stipulation and Final Order, and understands it completely; (v) he 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) he states that no promises or representation has been made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an attorney

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

4 **STIPULATION OF FACTS**

- 5 1. Mr. Brannon is a long time teacher in the Portland Public Schools. Mr. Brannon
6 currently holds a Standard Teaching License, with an endorsement in Basic Elementary,
7 issued July 5, 2007, and valid through July 4, 2010.
- 8 2. On or about May 6, 2006, Mr. Brannon was arrested for DUII and on or about June 30,
9 2006, he entered into a diversion agreement which was completed and the DUII was
10 dismissed on or about April 10, 2008.
- 11 3. On or about June 14, 2007, Mr. Brannon submitted his application for licensure and Mr.
12 Brannon failed to answer "yes" to character Question #9: "Have you ever been arrested
13 or cited for any offence listed in Question #8 (above) which is still pending in court?" In
14 fact the DUII charge was still pending in court on June 14, 2007.

15 IT IS SO STIPULATED:

16 Michael E. Brannon
17 Michael E. Brannon
18 B.

8/6/09
Date

19 Victoria Chamberlain
20 Victoria Chamberlain, Executive Director
21 Teacher Standards and Practices Commission
22

8-10-09
Date

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CONCLUSION OF LAW

Mr. Brannon failed to answer honestly character Question #9 on the TSPC application. This conduct constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(c) (Knowing falsification of any document or knowing misrepresentation directly related to licensure, employment or professional duties).

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ORDER

The Commission adopts and incorporates herein the above findings of fact and conclusions of law and, based thereon, imposes a 30 day suspension regarding the Standard Teaching License of Mr. Brannon, effective the date of this Order and commencing August 10, 2009.

Issued and dated this 10th day of August, 2009.

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

By Victoria Chamberlain
Victoria Chamberlain, Executive Director