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

In the Matter of the) STIPULATION OF FACTS
Teaching License of) FINAL ORDER OF
RANDALL C. BROWN) SUSPENSION

On or about February 6, 2008, the Teacher Standards and Practices Commission (Commission) received a report from Maureen Sloane, HR Legal Counsel for Portland Public Schools, indicating that Randall Brown may have engaged in gross neglect of duty by using unreasonable force against a student.

After review of the matters alleged, Mr. Brown 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 suspension and probation.

By signing below, Mr. Brown 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, 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. Brown 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 regarding this Stipulation and Final Order and has been fully advised with regard to his rights

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

3 **STIPULATION OF FACTS**

- 4 1. The Commission has licensed Mr. Brown since February 1, 1995. He currently holds a
5 standard teaching license with endorsements in Basic Integrated Science and Standard
6 Biology.
- 7 2. On January 15, 2008, while working for at Benson High School, Mr. Brown told student
8 TT to get out of his classroom because TT was in the classroom without authorization.
- 9 3. In connection with the incident described in paragraph 2, Mr. Brown pushed student TT
10 when the student leaned into M r. Brown on the student's way out of his classroom,
11 causing TT to stumble out the door.

12 IT IS SO STIPULATED:

13 Randall C. Brown
14 Randall C. Brown
15

10/31/09
Date

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

11-3-09
Date

20 **CONCLUSION OF LAW**

- 21 1. Mr. Brown's conduct described in paragraphs 2 constitutes gross neglect of duty in
22 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates 584-020-
23 0010(1)(Recognize the worth and dignity of all persons and respect for each
24 individual; OAR 584-020-0040(4)(n) as it incorporates 584-020-0010(5)(use
25 professional judgment)
- 26 2. Mr. Brown's conduct described in paragraph 3 constitutes gross neglect of duty in
27 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(d)(Unreasonable physical
28 force against students, fellow employees, or visitors to the school, except as

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permitted under ORS 339.250); OAR 584-020-0040(4)(n) as it incorporates 584-020-0010(5)(use professional judgment)

ORDER

Based on the foregoing:

The Standard Teaching License of Randall C. Brown is suspended for 90 days from the date of this order.

Issued and dated this 9th day of November 2009.
TEACHER STANDARDS AND PRACTICES COMMISSION

By: *Victoria Chamberlain*
Victoria Chamberlain, Executive Director

APPROVED AS TO FORM

Adam Arms
Adam Arms, OSB# 010186
Attorney for Randall C. Brown