

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 JOHN B. MUNSON)

STIPULATION OF FACTS AND
FINAL ORDER OF REPRIMAND

6 On or about June 10, 2008, the Teacher Standards and Practices Commission
7 (Commission) received a report indicating that Mr. Munson may have engaged in conduct
8 constituting gross neglect of duty.

9 The Commission charged Mr. Munson with gross neglect of duty and issued a Notice of
10 Opportunity for Hearing on October 7, 2009. After review of the matters alleged, Mr. Munson
11 and the Commission agree that their respective interests, together with the public interest, are
12 best served by a stipulation to certain facts and the imposition of a public reprimand.

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

17 By signing below, Mr. Munson acknowledges, understands, stipulates, and agrees to the
18 following: (i) he has been fully advised of his rights to notice and a hearing to contest the
19 findings of fact, conclusions of law, and order set forth below, and fully and finally waives all
20 such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final
21 Order of Reprimand (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public
22 document and disclosed to the public upon request by the Commission; (iii) this Stipulation and
23 Final Order is contingent upon and subject to approval and adoption by the Commission. If the
24 Commission does not approve and adopt this Stipulation and Final Order, then neither Mr.
25 Munson nor the Commission are bound by the terms herein; (iv) he has fully read this
26 Stipulation and Final Order, and understands it completely; (v) he voluntarily, without any force
27 or duress, enters into this Stipulation and Final Order and consents to issuance and entry of the

1 Stipulated Final Order below; (vi) he states that no promises or representation have been made
2 to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an attorney
3 regarding this Stipulation and Final Order and has been fully advised with regard to his rights
4 thereto, or waives any and all rights to consult with an attorney prior to entering into this
5 Stipulation and Final Order and issuance and entry of the Stipulated Final Order below.

6 **STIPULATION OF FACTS**

7 1. The Commission first licensed Mr. Munson on July 5, 2007. Mr. Munson's current
8 Initial I Teaching License, with an endorsement in Social Studies (High School Level) is valid
9 through November 1, 2010. Mr. Munson also holds a Conditional Assignment Permit for
10 Language Arts (High School Level), valid through September 22, 2010.

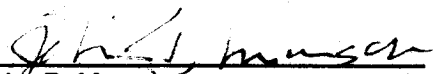
11 2. During the 2007-2008 school year, Mr. Munson was employed as a high school
12 teacher at the Wellness, Business and Sports School (WeBSS) in the Woodburn School District.

13 3. On or about May 6, 2008, Mr. Munson allowed students in his tenth grade language
14 arts classes to continue working on state writing assessment tests beyond the established
15 closing date of May 2, 2008, even though he had been directed by the district testing
16 coordinator and his building administrator to discontinue all work on the tests earlier that day.


17 4. On or about May 6, 2008, Mr. Munson took seven students' final draft notes for their
18 state writing tests home that had not been transferred to the students' Writing Assessment
19 Folders, in violation of testing protocol. Consequently, the Oregon Department of Education
20 refused to score those seven tests.

21 5. Mr. Munson resigned from the Woodburn School District on June 13, 2008.

22 **IT IS SO STIPULATED AND AGREED TO:**

23 
24 John B. Munson

March 12, 2010
Date

25 
26 Victoria Chamberlain, Executive Director
27 Teacher Standards and Practices Commission
28

3-30-10
Date

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CONCLUSIONS OF LAW

Mr. Munson's conduct described in paragraph 3 above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates 584-020-0010(5)(a) (use of professional judgment).

The Commission has the authority to impose discipline in this matter under ORS 342.120 through 342.430 and OAR Chapter 584.

FINAL ORDER

The Commission adopts and incorporates herein the above finding of facts, conclusions of law, and based thereon, imposes a Public Reprimand on John B. Munson. This Order shall serve as the Public Reprimand.

Issued and dated this 14th day of May, 2010.

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

By 
Victoria Chamberlain, Executive Director