

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION

2 OF THE STATE OF OREGON

3
4 In the Matter of the) DEFAULT ORDER OF DENIAL
5 Teaching License of) OF TEACHING LICENSE
6 BRETT H.T. SUMMERS)

7 On July 10, 2007, the Teacher Standards and Practices Commission (Commission)
8 issued a Notice of Opportunity for Hearing to Brett H.T. Summers (Summers) in which the
9 Commission denied licensure based on ORS 342.143(2). The Notice was sent via U.S. First
10 Class Mail and U.S. Certified Mail Receipt 7006 0810 0001 4602 1824 to the address Mr.
11 Summers provided to the Commission. The certified mail receipt was signed by the educator
12 and returned to the Commission. The Notice of Opportunity of Hearing, dated July 10, 2007,
13 and signed by Victoria Chamberlain, Executive Director, stated:

14 "You, Brett H.T. Summers, are entitled to a hearing on the proposed action of the
15 Commission. If you want a hearing, you must file a written request for a hearing
16 with the Commission within 21 days of the date of this notice. Attached to this
17 notice is a copy of the procedures, right of representation and other rights of
18 parties relating to the conduct of a hearing as required under ORS 183.413(2)."

19
20 Mr. Summers did not request a hearing. The Commission, therefore, finds Mr. Summers
21 to be in default and enters the following findings of fact, conclusions of law and order, based on
22 the files and records of the Commission concerning this matter.

23 **FINDINGS OF FACT**

24 1. On or about August 21, 2003, the Washington Superintendent of Public Instruction
25 suspended Mr. Summers' education certificate for a period of twelve (12) months, effective
26 May 1, 2003, when he failed to properly supervise students in his classroom in December of
27 2001.

28 2. Following the 2001 incident Mr. Summers resigned his teaching position in the
29 Colville School District, in Washington, effective January 31, 2002.

30 3. The Washington Superintendent of Public Instruction, in order to reinstate

1 Mr. Summers' teaching certificate, required that he undergo a psychological evaluation by a
2 board certified psychologist/psychiatrist to determine whether Mr. Summers presents a danger
3 to the educational welfare or personal safety of students, teachers or other colleagues within the
4 educational setting.

5 4. To date Mr. Summers has not removed the uncertainty regarding his fitness to serve
6 as an educator by satisfying the requirements for reinstating his Washington teaching certificate.

7 **CONCLUSIONS OF LAW**

8 Pursuant to OAR 584-050-0006(2)(e) and ORS 342.143(2) the Executive Director may
9 deny issuance of a license based upon evidence that the applicant may lack fitness to serve as
10 an educator. The Commission's authority to impose discipline in this matter is based upon
11 ORS 342.175.

12 **ORDER**

13 The Commission hereby denies the application of Brett H.T. Summers for an Oregon
14 Teaching License.

15 IT IS SO ORDERED this 6th day of August, 2007.

16 TEACHER STANDARDS AND PRACTICES COMMISSION

17 By *Victoria Chamberlain*
18 Victoria Chamberlain, Executive Director
19

20 **NOTICE OF APPEAL OR RIGHTS**

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22
23 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE
24 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF THIS
25 ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE
26 OREGON COURT OF APPEALS.

CERTIFICATE OF MAILING

I hereby certify that I served the foregoing order by mailing a true copy thereof certified by me as such by U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

Brett H.T. Summers
3667 SE Tillamook Loop
Prineville OR 97754

Dated this 2nd day of October, 2007.

By:



Melody Hanson, Executive Assistant