1	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION		
2	OF THE STATE OF OREGON		
3 4 5 6 7	In the Matter of the) STIPULATION OF FACTS AND Teaching License of) FINAL ORDER OF SUSPENSION DANA EDWARD BASQUE) OF LICENSE AND PROBATION On or about March 30, 2011, the Teacher Standards and Practices Commission		
8	(Commission) received information from the Oakland School District that Dana Edward		
9	Basque (Basque) may have violated the Standards for Competent and Ethical		
10	Performance of Oregon Educators.		
11	After review of the matters alleged, Basque and the Commission agree that their		
12	respective interests, together with the public interest, are best served by a stipulation to		
13	certain facts and the imposition of a 90 day suspension and four (4) years of probation of		
14	Basque's Standard Teaching License.		
15	By signing below, Basque acknowledges, understands, stipulates, and agrees to		
16	the following: (i) he has been fully advised of his rights to notice and a hearing to contest		
17	the findings of fact, conclusions of law, and order set forth below, and fully and finally		
18	waives all such rights and any rights to appeal or otherwise challenge this Stipulation of		
19	Facts and Final Order of Suspension and Probation of License (Stipulation and Final		
20	Order); (ii) this Stipulation and Final Order is a public document and disclosed to the		
21	public upon request to the Commission; (iii) this Stipulation and Final Order is		
22	contingent upon and subject to approval and adoption by the Commission. If the		
23	Commission does not approve and adopt this Stipulation and Final Order, then neither		
24	Basque nor the Commission are bound by the terms herein; (iv) he has fully read this		
25	Stipulation and Final Order, and understands it completely; (v) he voluntarily, without		
26	any force or duress, enters into this Stipulation and Final Order and consents to issuance		
27	and entry of the Stipulated Final Order below; (vi) he states that no promise or		
28	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 thereto, or waives any and all rights to consult with an attorney prior to entering into this Stipulation and Final Order and
- 4 issuance and entry of the Stipulated Final Order below.

STIPULATION OF FACTS

- 1. The Commission has licensed Basque as a teacher in Oregon since July 29, 1988.

 Basque currently holds a Standard Teaching License, issued on May 24, 2012, with endorsements in Basic Integrated Science 020, Basic Reading 080, Standard Biology 020, and Standard Exceptional Learner 018. Basque's Standard Teaching License is valid through May 23, 2017. During all relevant times, Basque was employed by the
- 10 vand through May 23, 2017. During all relevant times, Basque was employed by the 11 Oakland School District. Basque retired from the District effective June 10, 2011.
- On or about January 21, 2011, the Oakland School District received a complaint from a substitute instructional assistant alleging poor classroom management in a special education environment. Specifically, the complaint alleged that Basque had told students to "Take these home and cry over them" when referring to student writing
- 16 assignments.

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- 3. The District investigated the complaint but did not speak with all of Basque's regular instructional assistants about Basque's general classroom management and instructional approach. Basque cooperated in the District's investigation and acknowledged that while he should have used different words, he had only intended his comments to remind students that they were capable of higher level work and to encourage them to perform better.
- 4. The District received no complaints regarding the comments from any student orparent.
- 25 5. On March 7, 2011, the District issued Basque a written reprimand and a two day
 26 suspension without pay.
- 27 6. Basque fully cooperated in the Commission's investigation of the District's report.
 28 IT IS SO STIPULATED:

29	Dana Edward Barrie	10/15/2012
30	Dana Edward Basgne	Date
31	Cartena Chamberland	/h > 15/7
32、/	Manu Manuacius	10-25-12
33	Victoria Chamberlain, Executive Director	Date
34	Teacher Standards and Practices Commission	

1	CONCLUSION OF LAW
2	Basque's conduct outlined above constitutes gross neglect of duty in violation of ORS
3	342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(1)(Recognize
4	the worth and dignity of all persons and respect for each individual) and OAR 584-020-
5	0010(5) (Use professional judgment).
6	ORDER
7	The Commission adopts and incorporates herein the above findings of fact and
8	conclusions of law, and based thereon, imposes a 90 day suspension of Dana Edward
9	Basque's Standard Teaching License to be followed by a period of four (4) years of
10	probation.
11	During the term of probation, Basque shall comply with all of the Commission's
12	statutes and rules regarding competent and ethical performance. Violation of a term or
13	condition of probation may constitute an independent basis for the Commission to
14	impose additional disciplinary sanctions, subject to Basque's contested case hearing
15	rights.
16	Issued and dated this $\frac{5\%}{6}$ day of November, 2012.
17 18	TEACHER STANDARDS AND PRACTICES COMMISSION STATE OF OREGON
19 20 21	By Ullowa Mamberlain Victoria Chamberlain, Executive Director