

BEFORE THE  
TEACHER STANDARDS AND PRACTICES COMMISSION  
STATE OF OREGON

In the Matter of the Teaching License of:	)	STIPULATION OF FACTS
	)	and
DANA EDWARD BASQUE	)	FINAL ORDER OF REPRIMAND
_____	)	

On February 22, 2008, the Teacher Standards and Practices Commission (Commission) received a report from Dan Forbess, Superintendent, Oakland Public Schools, indicating that Dana Basque (Basque) suggested that two students kick each other.

Mr. Basque fully cooperated with the Commission's investigation. After review of the matters alleged, Mr. Basque and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts and a public reprimand.

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

By signing below, Mr. Basque 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 Reprimand (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. Basque nor the Commission are bound by the terms here; (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 thereto, or waives any and all rights to consult with an attorney prior to entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order below. This Order sets forth the facts upon which the parties have agreed and the sanction to be imposed. Mr. Basque stipulates that there are sufficient facts contained in the Commission's files and records to support the findings of fact and conclusions of law set forth below. In entering into this stipulation, Mr. Basque waives the right to a hearing to contest the findings of fact, conclusions of law and order set forth below.

#### **STIPULATION OF FACTS**

1. The Commission has licensed Mr. Basque since November 2, 1992. Mr. Basque currently holds a Standard Teaching License valid May 24, 2007, through May 23, 2012, with endorsements in Basic Integrated Sciences, Basic Reading, Standard Biology and Standard Handicapped Learning.

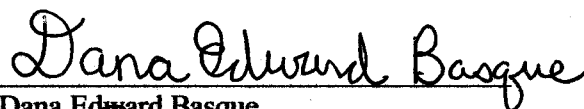
2. Mr. Basque worked as a Special Education teacher at Lincoln Middle School in the

Oakland Public School System.

3. On February 14, 2008, Mr. Basque suggested to his whole Drama Class, that if anyone forgot their script, they should get a swift kick in the shins. Two students proceeded to kick each other in the shins when it was found out they had forgotten their scripts.

4. Mr. Basque was previously disciplined by the district for allowing a 5th grade student to leave campus on October 24, 2007, to retrieve a homework assignment and a November 6, 2006 incident where Mr. Basque pulled a chair from under a student who was leaning back in his seat such that only two chair legs were on the floor.

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

  
Dana Edward Basque

6-21-09  
Date

  
Victoria Chamberlain, Executive Director

7-8-09  
Date

**CONCLUSIONS OF LAW**

Dana Edward Basque suggested to two students to kick each other resulting in a bruise to the leg of one student. This conduct constitutes Gross Neglect of Duty in violation of OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) and OAR 584-020-0010(1). Mr. Basque had also allowed the Commission 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 findings of fact, conclusions of law, and based thereon, imposes a Public Reprimand on Dana Edward Basque. This Order

shall serve as the Public Reprimand.

ISSUED AND DATED this 10<sup>th</sup> day of August, 2009.

TEACHER STANDARD AND PRACTICES  
COMMISSION, STATE OF OREGON

By: *Victoria Chamberlain*  
Victoria Chamberlain, Executive Director

APPROVED AS TO FORM:

*Thomas Doyle*  
Thomas Doyle, OSB #972511  
Attorney for Dana Edward Basque