

1 3. On the first day of spring track practice in 1991, Brow, the track coach, pulled a
2 female student's T-shirt and made comments about chest/shoulder development and the need for
3 a new T-shirt. Brow was directed by his principal to apologize to the female student who
4 experienced this behavior. Brow failed to comply with his principal's directive.

5 4. During the football season of 1992, Brow made a racial comment regarding an
6 athlete from an opposing team. Brow received a reprimand from his principal, Ms. Chloe Becca,
7 for his comments.

8 5. During an outdoor school trip to Bend on or about May 20-21 1998, Brow made
9 inappropriate sexual remarks to a fellow teacher and to a parent volunteer in the presence of
10 female students. In addition, he was dressed only in athletic shorts in an area where female
11 students were present on the same trip. Finally, on the same trip, he angrily confronted a female
12 sixth grade student and shouted profanities at her in front other students and the parent volunteer.
13 Brow received a reprimand for his behavior.

14 6. During the 1998-1999 school year, Brow made derogatory comments to a sixth
15 grade male student (for which comments he received a reprimand); made inappropriate
16 comments to and massaged the shoulders of two female high school students; made sexual
17 comments about a sixth grade female student to female staff members; made derogatory sexual
18 remarks to a sixth grade female student and repeated those remarks to fellow staff members, and;
19 recounted sexual descriptions and inappropriate language to staff in the staff room after he was
20 repeatedly asked to stop.

21 Brow enters into this stipulation of facts knowing the Commission will suspend his
22 license from March 17 to June 30, 2000 and place him on four years probation with the
23 following conditions:

- 24 a. Brow will be assessed by a Commission-approved psychologist, which
25 assessment will include an evaluation for the need for anger management training,
26 and will complete any treatment as ordered by the psychologist. A copy of TSPC

1 Preliminary Investigation Report will be sent to the evaluating and treating
2 psychologists.

3 b. Brow will attend tutoring sessions on sexual harassment avoidance conducted
4 by a person of the Commission's choosing.

5 This stipulation is contingent upon approval and adoption of the Order by the
6 Commission. If Commission does not adopt this order, neither Brow nor the Commission are
7 bound by these stipulations and Brow retains all rights to a hearing on the allegations.

8 **CONCLUSIONS OF LAW**

9 Brow's actions set forth above constitute violation referral of OAR 584-020-0040 (f),(l),
10 and (n).

11 IT IS SO STIPULATED:

12
13
14 David Brow
15

1-12-00
16
17 Date

18 David V. Myton
19 David V. Myton, Executive Director
20 Teacher Standards and Practices
21 Commission

1-19-00
22
23 Date

24 **ORDER**

25 The Commission adopts the above Findings of Fact and suspends Brow's teaching license
26 from March 17 to June 30, 2000.

Brow will be on probation for a period of four years from March 17, 2000 to March 17,
2004 subject to the following terms:

1. Brow will comply with the standards for ethical and competent performance of
Oregon educators. Upon application for reinstatement or renewal through 2004, Mr. Brow will
give the Commission such information as the commission requests to verify that he has complied

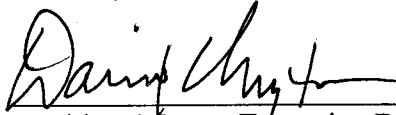
1 with the conditions of probation, including a statement from his employing school district, if any,
2 that he has complied with the Standards of Competent and Ethical Performance of Educators
3 under OAR 584, Division 20.

4 2. Brow will comply with all employer rules, policies and directives relating to
5 sexual harassment in the workplace.

6 3. Brow will complete an assessment by a licensed psychologist that will include
7 evaluation for the need for anger management and other treatment and will complete any
8 treatment recommended by that psychologist. This condition will not be discharged until a letter
9 is received by the Commission from the psychologist detailing the treatment indicated by the
10 evaluation and that Mr. Brow has successfully completed that treatment.


11 4. Brow will attend tutoring sessions on sexual harassment avoidance and the person
12 conducting the training will provide information to the Commission indicating his successful
13 completion of the training.

14 IT IS SO ORDERED this 19th day of January 2000.

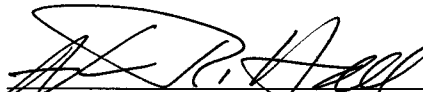
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16 David V. Myton, Executive Director
17 Teacher Standards and Practices Commission

18 Approved as to form:

19 
20 Elizabeth Denecke, OSB #81112
21 Assistant Attorney General

22 1/4/2000
23 Date

24 
25 Nelson Hall, OSB #85222
26 BENNETT, HARTMAN AND REYNOLDS
Attorney for David Brow

1-6-2000
Date