1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
3 4 5 6 7	In the Matter of the DEFAULT ORDER OF Educator License of REVOCATION OF RIGHT SHAWN CHRISTOPHER BROWN TO APPLY FOR LICENSURE
8	On September 5, 2014, the Teacher Standards and Practices Commission
9	(Commission) issued a Notice of Opportunity for Hearing to Shawn Christopher Brown
10	(Brown) in which the Commission charged him with Gross Neglect of Duty. The Notice
11	was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 1010 0003 2804 4630
12	to the address on file with the Commission. The Notice designated the Commission file
1.3	as the record for purposes of proving a prima facie case. Both the Certified Mail and the
14	regular mail were not returned to the Commission. The Notice of Opportunity for
15	Hearing, dated September 5, 2014, and signed by Victoria Chamberlain, Executive
16	Director, stated:
17 18 19 20 21 22 23 24	"IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF YOU FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."
25	On September 10, 2014, Brown requested a hearing. On August 3, 2015, Brown
26	withdrew his request for a hearing. The Commission, therefore, finds Brown to be in
27	default and enters the following findings of fact, conclusions of law, and final order,
28	based on the files and records of the Commission concerning this matter.
29	FINDINGS OF FACT
30	1. Shawn Christopher Brown has been licensed by the Commission since September 22,
31	2009. Brown's Career and Technical I Teaching License, with an endorsement in
32	Agriculture Science and Technology (CTE/HS), was issued November 16, 2010, and
33	expired on September 7, 2013. During all relevant times, Brown was employed by
34	the North Powder School District.
35	2. On March 26, 2013, the Commission received a report from the superintendent of
36	the North Powder School District indicating that Brown had violated professional

- standards. On March 15, 2013, by vote of the school board, Brown's employment was terminated.
- 3. On April 4, 2012, Brown was placed on paid administrative leave while the district 3 and law enforcement investigated a complaint alleging that Brown slapped student 4 PW on the head when PW refused to give Brown his cell phone. Investigations 5 determined that Brown did touch student PW inappropriately and could have been 6 charged with the crime of Harassment. PW also reported that Brown transported 7 students in his personal vehicle to Brown's house to load lumber. Brown endangered 8 students by transporting more students than Brown had seatbelts available for. PW 9 10 was one of the students who did not have seat belt. Brown stopped his vehicle suddenly causing PW to strike his head on the dashboard. Brown laughed about it 11 and told PW he should have held on. PW reported Brown had hit him several times 12
- work with a verbal warning not to touch students.

 On March 6, 2013, it was reported to district and law enforcement that on March 5,

 2013, Brown struck student AA while on a bus field trip. AA reported that Brown

 slapped him on the back of the shoulder with an open hand causing him pain.

13

14

in the past with an open hand, told him he "has no nuts" and singled him out in class

to the point of making PW cry. No charges were filed, and Brown was returned to

- Investigation determined that several other students witnessed this incident. When questioned, Brown admitted to slapping AA, advising that Brown had not intended to hurt AA, Brown only wanted AA to return a stuffed animal that he had picked up from the bus floor that belonged to Brown's daughter, who was also on the bus.
- During this investigation, officials learned that Brown had also kicked student CB in the shin because he was turned around talking to students in another seat and being disruptive. CB reported he was not injured by Brown's kick. Law enforcement advised Brown that his use of physical force was unwarranted in these instances, and
- Brown could be charged with the crime of Harassment. Law enforcement also advised Brown that none of the involved students or their families wanted to press criminal charges at this time.
- 5. Bus driver Jeffrey Warren, along with other parent chaperones, reported to school
 officials that on or about March 4, 2013, while on a field trip to Portland for a Trail
 Blazer basketball game, Brown informed Warren that Brown had a "firearm" in his

possession and needed to store it on the bus because Brown could not get past event security. Warren informed Brown that firearms were not allowed on the bus, and Brown replied that he had a concealed weapons permit. Warren stated that Brown then secured something in a locked storage compartment under the bus. Warren advised that he never saw the firearm Brown spoke of. Interviewed chaperones advised that Brown had told them he was "packing", and Brown had to secure the weapon both before the basketball game and while visiting the State Capital in Salem. When questioned about the incident by school officials and the commission investigator, Brown claimed the item was a knife he wore around his neck and not a firearm. Brown also denied that he ever told any of the chaperones that he was in possession of any weapon, and that Brown only told the bus driver he had a concealed weapons permit. Records indicate that Brown does not possess a valid concealed weapons permit in the State of Oregon, and Oregon does not honor such permits issued in any other state or territory.

CONCLUSIONS OF LAW

Brown's conduct described in sections three (3) and four (4) above (individually or collectively) constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates, OAR 584-020-0020(0010(1)(Recognize the worth and dignity of all persons and respect for each individual), OAR 584-020-0010(5) (Use professional judgment), OAR 584-020-0020(2)(d)(Skill in the supervision of students); OAR 584-020-0030(2)(b) (Skill in communicating with administrators, students, staff, parents, and other patrons), OAR 584-020-0025(2)(e)(Using district lawful and reasonable rules and regulations); and OAR 584-020-0040(4)(d) (Unreasonable physical force against students, fellow employees, or visitors to the school, except as permitted under ORS 339.250).

Brown's conduct described in section five (5) above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates, OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0025(2)(e)(*Using district lawful and reasonable rules and regulations*), OAR 584-020-0030(2)(b) (*Skill in communicating with administrators, students, staff, parents, and other patrons*); OAR 584-020-0040(4)(o) as it incorporates; OAR 584-020-0035(3)(a) (*Maintain the*

1	dignity of the profession by respecting and obeying the law, exemplifying personal
2	integrity and honesty); and OAR 584-020-0040(4)(c) (Falsification of any document
3	or knowing misrepresentation directly related to licensure, employment, or
4	professional duties).
5	The Commission's authority to impose discipline in this matter is based upon ORS
6	342.175.
7	FINAL ORDER
8	The Commission hereby revokes Shawn Christopher Brown's right to apply for
9	licensure.
0	IT IS SO ORDERED THIS 21 day of October, 2015.
11	TEACHER STANDARDS AND PRACTICES COMMISSION
12	
13	By: Victoria Chamberlain, Executive Director
14 15	By:
16	Victoria Chamberlani, Executive Briestor
17	
18	NOTICE OF ADDEAL OF DICLITS
19 20	NOTICE OF APPEAL OR RIGHTS
21 22 23	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS O
23 24	ORS 183.482 TO THE OREGON COURT OF APPEALS.

CERTIFICATE OF MAILING

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

Shawn Christopher Brown 52276 Lampkin Lane North Powder, OR 97867-9108

Dated this 21^{4} day of October, 2015.

Patty/ iddell

Investigative Assistant