

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION  
OF THE STATE OF OREGON

In the Matter of the ) STIPULATION OF FACTS AND  
Educator License of ) FINAL ORDER OF REVOCATION  
SEAN RICHARD BENTON )

On October 19, 2016, the Teacher Standards and Practices Commission (Commission) received a report from the Oregon Department of Human Services (DHS) indicating Sean Richard Benton (Benton) may have committed an act of gross neglect of duty and/or gross unfitness. On October 20, 2016, Portland Public Schools (PPS) also submitted a report to the Commission that not only included allegations similar to those found in the DHS report, but also included allegations that Benton appeared intoxicated in the classroom and had inappropriately touched multiple students.

After review of the matters alleged, Benton and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts, and the imposition of a revocation of Benton’s Oregon educator license.

This Order sets forth the facts upon which the parties have agreed and the sanction to be imposed. Benton 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, Benton waives the right to a hearing to contest the findings of fact, conclusions of law and order set forth below.

By signing below, Benton 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 Revocation (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 Benton nor the Commission are bound by the terms herein; (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 promise or representation has been made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an

1 attorney regarding this Stipulation and Final Order and has been fully advised with  
2 regard to his rights thereto, or waives any and all rights to consult with an attorney prior  
3 to entering into this Stipulation and Final Order and issuance and entry of the Stipulated  
4 Final Order below.

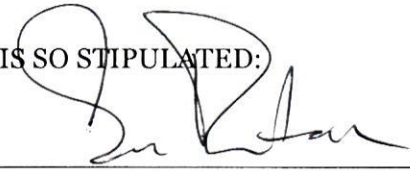
5  
6 **STIPULATION OF FACTS**

- 7 1. The Commission has licensed Benton since July 8, 2009. Benton’s Professional  
8 Teaching License, with endorsements in Chemistry (PK-12,); Foundational  
9 Mathematics (PK-12); and Legacy Middle Level (PK-12), is valid from August 8,  
10 2015 through August 7, 2020. During all relevant times, Benton was employed by  
11 the Portland Public School District (PPS).  
12
- 13 2. On October 19, 2016, the Commission received information from the Oregon  
14 Department of Human Services (DHS) indicating Benton may have committed  
15 acts that may constitute gross neglect of duty. On October 20, 2016, PPS also  
16 submitted a report to the Commission that not only included allegations similar  
17 to those found in the DHS report, but also included allegations that Benton  
18 appeared intoxicated in the classroom and had inappropriately touched multiple  
19 students.  
20
- 21 3. Investigation determined that on October 18, 2017, school officials were  
22 contacted by multiple students reporting they were concerned about Benton’s  
23 unusual behavior in the classroom. A building administrator investigated and  
24 observed Benton to be acting “Strange”. Believing Benton to be intoxicated,  
25 Benton was removed from the classroom and local law enforcement was  
26 contacted. Administrators and law enforcement observed Benton to smell of an  
27 alcoholic beverage and noted that he was unable to remember the following:  
28 coming to work that morning, why he was in the administrative office, or any of  
29 his actions since arriving at school. Administrators determined there was  
30 reasonable cause to request Benton submit to drug/alcohol screening.  
31 Administrators explained Benton’s rights and consequences of the testing  
32 requirement, and Benton refused to submit to testing.  
33  
34

- 1 4. Law enforcement interviewed students who had observed Benton's conduct in  
 2 the classroom. Student witnesses reported that several incidents occurred during  
 3 a third period, integrated science class. Students reported that Benton appeared  
 4 intoxicated, used profanity, and slurred his words. Students also reported Benton  
 5 had touched three students (MG, NS, and KD) inappropriately during class.  
 6
- 7 5. On September 28, 2017, as a result of the law enforcement investigation, Benton  
 8 was indicted on one count of Harassment, a Class A Misdemeanor and two  
 9 counts of Harassment, a Class B Misdemeanor. These three counts were in regard  
 10 to the reported offensive physical contact Benton had with previously mentioned  
 11 students MG, NS, and KD. On May 22, 2018, Benton pled no contest to one count  
 12 of Harassment. Benton was sentenced to 24 months bench probation. Benton  
 13 was also required to complete an alcohol treatment program, participate in an  
 14 alcohol evaluation, and participate in any course of treatment as determined by  
 15 the evaluator or probation officer. Benton successfully completed all required  
 16 evaluations and treatment.

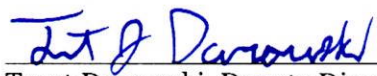

17

18 IT IS SO STIPULATED:

19  

20 \_\_\_\_\_

21 Sean R. Benton Date

22  

23 \_\_\_\_\_

24 Trent Danowski, Deputy Director Date

25 Teacher Standards and Practices Commission

26

27 **CONCLUSION OF LAW**

28 The conduct described above also constitutes gross neglect of duty in violation of  
 29 ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5)  
 30 (*Use professional judgment*), OAR 584-020-0025(2)(e) (*Using district lawful and*  
 31 *reasonable rules and regulations*); OAR 584-020-0040(4)(g) (*Appearing on duty or at*  
 32 *any district-sponsored activity while under the influence of alcohol or any controlled*  
 33 *substance*); OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(1)(c)(D)  
 34 (*Honoring appropriate adult boundaries with students in conduct and conversations at*  
 35 *all times*), OAR 584-020-0035(3)(a) (*Maintain the dignity of the profession by respecting*  
 36 *and obeying the law, exemplifying personal integrity and honesty*). Your conduct also

1 constitutes gross unfitness in violation of ORS 342.175(1)(c); OAR 584-020-0040(5)(c)  
2 (*Conviction of violating any federal, state, or local law. A conviction includes any final*  
3 *judgment of conviction by a court whether as the result of guilty plea, no contest plea or*  
4 *any other means*).

5

6 The Commission's authority to impose discipline in this matter is based upon  
7 ORS 342.175.

8

**ORDER**

9 The Commission adopts and incorporates herein the above findings of fact and  
10 conclusions of law, and based thereon, revokes Sean R. Benton's Oregon educator  
11 license.

12

13

14 Issued and dated this 19 day of June, 2019.

15

**TEACHER STANDARDS AND PRACTICES COMMISSION**

16

**STATE OF OREGON**

17

18

By 

19

Dr. Anthony Rosilez, Executive Director