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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 SUSPENSION
DAVID P. SPRINGER) AND PROBATION

On February 9, 2017, the Teacher Standards and Practices Commission (Commission) received a report from the Oregon Department of Human Services (DHS) alleging that David Springer (Springer) had violated Professional Standards and Practices.

After review of the matters alleged, Springer 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 sixty (60) day suspension of Springer's Oregon educator license.

This document sets forth the facts upon which the parties have agreed and the stipulated sanction to be imposed. Springer 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, Springer 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 Suspension (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 Springer 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 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

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

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STIPULATION OF FACTS

5 1) Springer has been licensed as an educator in Oregon since June 9, 2010. Springer holds an Initial
6 II Teaching License, with an endorsement in Multiple Subjects Self-Contained (ECE, ELE), valid
7 from November 9, 2013, through December 23, 2016. On November 4, 2016, Springer made
8 timely application for renewal of his license. Due to Springer's active investigation, his license
9 expiration was suspended (remained valid), pending the outcome of the investigation. During all
10 relevant times, Springer was employed by the Portland Public Schools (PPS), providing long term
11 substitute services at Beach Elementary School.

12 2) On February 9, 2017, the Commission received a report from the Oregon Department of Human
13 Services (DHS), advising that DHS received an abuse report alleging that Springer had injured a
14 student on February 7, 2017. Furthermore, information received indicates that Springer was
15 previously reported to school officials for similar conduct dating back to November 13, 2016.
16 Investigation determined the following:

17 a) On November 13, 2016, student NV was talking in class and distracting other students. When
18 she failed to comply with Springer's verbal redirection, Springer spun and / or moved the
19 empty chair she had been sitting in. In the process of returning to her moved chair, NV fell to
20 the floor, landing hard on her bottom and striking her head. As a result, NV was injured and
21 crying. Springer sent NV to the nurse accompanied by another student where she complained
22 of dizziness and head pain. A student teacher was in the room and testified that Springer's
23 conduct resulted in NV's injury. Springer was provided specific expectations by school
24 administrators not to move students by force and not to redirect students with his hands or by
25 touching.

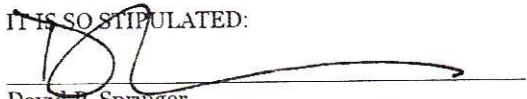
26 b) On February 7, 2017, DC, an eight year old student in Springer's classroom was not complying
27 with Springer's verbal attempts to redirect him from distracting other students. DC was turned

1 around in his chair to face the rest of the class and was talking to other students. In an attempt
2 to get DC's attention, Springer lifted DC's desk while he was turned around distracting another
3 student. The desk reportedly struck DC in the back causing him pain. Springer reported that he
4 only lifted and dropped the desk to make a loud noise and get DC's attention. Student
5 witnesses stated that DC was struck by the desk Springer moved. DC was seen by the school
6 nurse, who reported there was no visible injury. DC complained to the school nurse that there
7 was pain and tenderness in his back.


8 c) As a result of Springer's conduct on February 7, 2017, school administrators and Springer
9 agreed that he leave the building and he was removed from the PPS substitute list for the
10 remainder of the school year. Springer's conduct was subsequently reported to DHS and law
11 enforcement. Law enforcement found no grounds for any criminal charges.

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13 IT IS SO STIPULATED:

14 
15 David P. Springer

7/10/19
Date

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17 Trent Danowski, Deputy Director
18 Teacher Standards and Practices Commission

7/16/2019
Date

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CONCLUSIONS OF LAW

21 David Springer's conduct described in sections two (2) (a), (b), (c), above constitutes gross
22 neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR
23 584-020-0010(1) (*Recognize the worth and dignity of all persons and respect for each individual*),
24 OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0025(2)(a) (*Establishing and*
25 *maintaining classroom management that is conducive to learning*), OAR 584-020-0025(2)(e)
26 (*Using district lawful and reasonable rules and regulations*); and OAR 584-020-0040(4)(d)
27 (*Unreasonable physical force against students, fellow employees, or visitors to the school, except as*
28 *permitted under ORS 339.250*).

1 The Commission's authority to impose discipline in this matter is based upon ORS
2 342.175.

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ORDER

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The Commission hereby adopts and incorporates herein the above stipulation of facts,
conclusions of law, and based thereon hereby imposes a sixty (60) day suspension of Springer's
Oregon educator license following the adoption of this order.

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Furthermore, the Commission imposes a period of one (1) year of probation upon Springer's
licensure to commence from the date of any reinstatement of licensure and subject to the following
conditions:

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1. Springer shall comply with the Standards for Competent and Ethical Performance of Oregon
Educators under Oregon Administrative Rules Chapter 584, Division 020.
2. Springer will successfully complete a Commission approved training related to Classroom
Management within one year of the signing of this order.

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IT IS SO ORDERED this 12 day of August, 2019.

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TEACHER STANDARDS AND PRACTICES COMMISSION

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By: 
Dr. Anthony Rosilez, Executive Director