

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
2 OF THE STATE OF OREGON
3

4 In the Matter of the) DEFAULT ORDER OF
5 Educator License of) REVOCATION OF
6 DAVID M. BRANDON) LICENSURE
7

8 On September 28, 2023, the Teacher Standards and Practices Commission (Commission)
9 issued a Notice of Opportunity for Hearing to David M. Brandon (Brandon) in which the
10 Commission charged him with Gross Neglect of Duty and Gross Unfitness. The Notice was sent via
11 U.S. First Class Mail and U.S. Certified Mail Receipt 9589 0710 5270 0844 8660 74 to the address
12 on file with the Commission. The Notice designated the Commission file as the record for purposes
13 of proving a prima facie case. The Notice sent Certified Mail was returned unclaimed on October 18,
14 2023. The regular First Class mail was not returned to the Commission and assumed delivered. The
15 Notice of Opportunity of Hearing, dated September 28, 2023, and signed by Anthony Rosilez,
16 Executive Director, stated:

17 **“IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, YOUR**
18 **RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO**
19 **REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT**
20 **REQUEST A HEARING, WITHDRAW YOUR REQUEST FOR HEARING, IF YOU FAIL TO**
21 **APPEAR AT A HEARING, OR NOTIFY THE COMMISSION THAT YOU WILL NOT APPEAR**
22 **AT HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY**
23 **INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER**
24 **DISCIPLINE.”**
25

26
27 Brandon did not request a hearing. The Commission, therefore, finds Brandon to be in default and
28 enters the following findings of fact, conclusions of law, and final order, based on the files and
29 records of the Commission concerning this matter.

30
31 **FINDINGS OF FACT**

- 32 1. David M. Brandon has been licensed by the Commission since August 25, 2014. Brandon
33 holds a Preliminary Teaching License, with endorsements in Career Trades - Generalist
34 (PK-12), Legacy Middle Level (PK-12), Foundational English Language Arts (PK-12), and
35 Elementary Multiple Subjects (PK-12), valid from July 28, 2021, through June 7, 2025.
36 During all relevant times, Brandon was employed by the Jewell School District (JSD).
37

- 1 2. On November 29, 2021, the Commission received a report from the Knappa School
2 District indicating Brandon was arrested on charges which if founded, would constitute
3 gross neglect of duty and/or gross unfitness. Specifically, the information reported was
4 that Brandon was arrested on twenty-three (23) counts of criminal acts which included
5 rape, sexual abuse, sodomy, and unlawful delivery of a marijuana item to a minor.
6
- 7 3. On November 16, 2018, Brandon was reprimanded by the JSD for allowing students to
8 demean other students, for creating an environment not conducive to learning, and
9 failing to supervise students in his classroom while sitting in his office playing cards
10 with a couple of students. On December 12, 2018, Brandon submitted his resignation
11 to the JSD, effective June 10, 2019. On August 31, 2019, local law enforcement received
12 information alleging Brandon's involvement in providing marijuana and prescription
13 drugs to students. Law enforcement opened a case to investigate the allegations.
14
- 15 4. Law enforcement investigation found that Brandon developed a relationship with a
16 freshman female student during the 2016-17 school year. The relationship between
17 Brandon and the student continued to deepen over several school years. During the
18 2018-19 school year, Brandon spent time alone with the student in his classroom, in
19 his personal vehicle, at his residence, at the student's residence, and at various
20 locations in the surrounding community. Most of these interactions did not involve
21 school related discussions or activities. Brandon also spent time with other female
22 students, away from campus, while assisting them with school related projects.
23
- 24 5. Law enforcement investigation found that during the 2018-19 school year, Brandon
25 provided marijuana or marijuana-based products to students which the students
26 frequently smoked, vaped, or consumed with him. These interactions took place off
27 campus.
28
- 29 6. Law enforcement investigation found that on or between April 1, 2018, to July 30,
30 2018, Brandon subjected the female student, then under the age of sixteen (16), to
31 sexual intercourse, oral sex, and other sexual contact. Law enforcement investigation
32 found that on or between July 31, 2018, and December 31, 2018, Brandon subjected
33 the female student, then under the age of eighteen (18) to sexual contact.
34

1 0040(4)(o) as it incorporates OAR 584-020-0035(1)(c)(A) (*Not demonstrating or expressing*
2 *professionally inappropriate interest in a student’s personal life*), OAR 584-020-0035(1)(c)(D)
3 (*Honoring appropriate adult boundaries with students in conduct and conversations at all times*)
4 and 584-020-0035(3)(a) (*Maintain the dignity of the profession by respecting and obeying the law,*
5 *exemplifying personal integrity and honesty*).

6 Additionally, Brandon’s criminal conviction and conduct related to his conviction constitute
7 “gross unfitness” in violation of ORS 342.175(1)(c); OAR 584-020-0040(3)(c) and (d) as defined by
8 OAR 584-020-0040 (5) (*Gross unfitness is any conduct which renders an educator unqualified to*
9 *perform his or her professional responsibilities*).

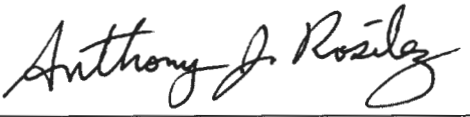
10 The Commission’s authority to impose discipline in this matter is based upon ORS 342.175.

11
12 **FINAL ORDER**

13 The Commission hereby revokes David M. Brandon’s Oregon Educator license.

14
15 IT IS SO ORDERED THIS 31 day of October, 2023.

16
17 TEACHER STANDARDS AND PRACTICES COMMISSION

18
19
20 By: 
21 Dr. Anthony Rosilez, Executive Director

22
23
24
25 **NOTICE OF APPEAL OR RIGHTS**

26
27 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE
28 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF
29 THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO
30 THE OREGON COURT OF APPEALS.