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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 REPRIMAND
NEIL JOHN LIVINGSTON)

On October 19, 2015, the Teacher Standards and Practices Commission (Commission) received a report from the Morrow County School District alleging professional misconduct on the part of licensed educator, Neil John Livingston (Livingston).

After review of the matters alleged, Livingston 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 public reprimand.


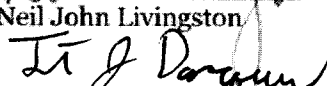
By signing below, Livingston acknowledges, understands, stipulates, and agrees to the following: (i) he has been fully advised of his rights to notice and a hearing to contest the findings of fact, conclusions of law, and order set forth below, and fully and finally waives all such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Reprimand (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 Livingston 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 attorney regarding this Stipulation and Final Order and has been fully advised with regard to his rights thereto, or waives any and all rights to consult with an attorney prior to entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order below.

STIPULATION OF FACTS

1. Neil John Livingston has been licensed by the Commission since October 21, 2008. Livingston’s Substitute Teaching License, with an endorsement in Substitute Any Specialty (PP-12), was valid from April 22, 2010, through April 21, 2013. Livingston did

1 not make application for renewal. During all relevant times, Livingston was employed by
2 the Morrow County School District as a contracted football coach.
3 2. On October 19, 2015, the Commission received a report from the Morrow County School
4 District of possible misconduct by Livingston. Investigation determined that on October
5 12, 2015, while coaching football practice, after you stopped a player from possibly
6 running into you while running a play, you engaged in a physical and verbal altercation
7 with the student athlete. The Morrow County School District placed you on
8 administrative leave for the remainder of the football season, but you resigned your
9 coaching position on October 22, 2015. Local law enforcement investigated the incident
10 and elected not to file any charges, citing in part, that the involved student's family did
11 not wish to press charges.
12

13 IT IS SO STIPULATED:

14		
15	_____	_____
16	Neil John Livingston	Date
17		10-3-18
18		_____
19	Trent Danowski, Deputy Director	Date
20	Teacher Standards and Practices Commission	10/9/2018

21 **CONCLUSION OF LAW**

22 Neil John Livingston's conduct as described above, violates professional
23 standards. Livingston's conduct constitutes gross neglect of duty in violation of ORS
24 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(1)
25 (*Recognize the worth and dignity of all persons and respect for each individual*), OAR
26 584-020-0010(5) (*Use professional judgment*), and OAR 584-020-0040(4)(d)
27 (*Unreasonable physical force against students, fellow employees, or visitors to the*
28 *school, except as permitted under ORS 339.250*).

29 The Commission's authority to impose discipline in this matter is based upon
30 ORS 342.175.
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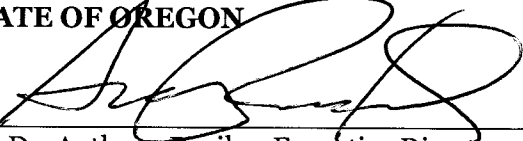
ORDER

Based on the foregoing, the Commission hereby orders as follows:

- 1. The Commission adopts and incorporates herein the above findings of fact and conclusions of law, and based thereon, imposes a Public Reprimand on Neil John Livingston’s educator license(s).

Issued and dated this 2 day of November, 2018.

**TEACHER STANDARDS AND PRACTICES COMMISSION
STATE OF OREGON**

By 

Dr. Anthony Rosilez, Executive Director