1 2	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
3 4 5 6 7 8	In the Matter of the Educator) DEFAULT ORDER OF License of) REPRIMAND STEPHEN PAUL MORDEN)
9	On July 20, 2015, the Teacher Standards and Practices Commission (Commission)
10	issued a Notice of Opportunity for Hearing to Stephen Paul Morden, (Morden) in which the
11	Commission charged him with Gross Neglect of Duty. The Notice was sent via U.S. First
12	Class Mail and U.S. Certified Mail Receipt 7015 0640 0007 1084 6106 to the address on file
13	with the Commission. The Notice designated the Commission file as the record for purposes
14	of proving a prima facie case. The Certified Mail was returned to the Commission and
15	marked "Unclaimed". The first class mail was not returned to the Commission. The Notice
16	of Opportunity of Hearing, dated July 20, 2015, and signed by Victoria Chamberlain,
17	Executive Director, stated:
18 19 20 21 22 23 24 25	"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."
26	Morden did not requested a hearing. The Commission, therefore, finds Morden to be in
27	default and enters the following findings of fact, conclusions of law, and final order, based
28	on the files and records of the Commission concerning this matter.
29	FINDINGS OF FACT
30	1. Morden has been licensed by the Commission since September 11, 2012. Morden's
31	Initial Teaching License, with an endorsement in Special Education (ML/HS,
32	ECE/ELE) was valid from September 11, 2012, through March 11, 2014. During all
33	relevant times, Morden was employed by the Astoria School District.
34	2. On April 26, 2013, the Commission received a report indicating Morden had
35	committed acts of unprofessional conduct in the area of unnecessary physical force
36	with students. Investigations by the Commission and school officials identified the
37	following unprofessional conduct:

a. During the 2012-2013 school year, Morden was observed employing unapproved physical restraints on multiple occasions. This included Morden using an arm bar style hold behind a student's back, locking a student's forearm under their own chin while pinning the student's thigh to the ground with Morden's knee, and covering the face of a student by tying a towel over their face because they were involuntarily spitting. Witnesses advised that Morden was visibly upset and observed Morden cussing in frustration. Administration identified Morden's restraint techniques as unapproved and improper. School officials reported Morden's conduct to law enforcement as possible child abuse. The law enforcement investigation determined Morden's actions may have violated policy but did not rise to a level considered criminal. Astoria School District terminated Morden's employment on April 23, 2013.

CONCLUSIONS OF LAW

Stephen Paul Morden engaged in unprofessional conduct as described above. This conduct 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(1) (Recognize the worth and dignity of all persons and respect for each individual), OAR 584-020-0010(5) (Use professional judgment), OAR 584-020-0025(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).

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

25 FINAL ORDER

The Commission hereby issues a Public Reprimand upon Stephen Paul Morden's Educator licensure.

IT IS SO ORDERED THIS 21 day of October, 2015.

TEACHER STANDARDS AND PRACTICES COMMISSION

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	Tutorta Kamberlain
2	By:
3	Victoria Chamberlain, Executive Director
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5	NOTICE OF APPEAL OR RIGHTS
6	
7	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW
8	MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM
9	THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE
10	PROVISIONS OF 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:

Stephen Paul Morden 955 Bridge View Ct Astoria, OR 97103-5911

Dated this ______day of October, 2015.

Patty Liddell

Investigative Assistant