## 1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON 3 In the Matter of the STIPULATION OF FACTS, Teaching License of AND FINAL ORDER ) CHRISTIAN ROBERT YAHN 5 ) OF SUSPENSION 6 On or about March 14, 2007, the Teacher Standards and Practices Commission (Commission) 7 received a letter from Mark Moser, Administrator for Licensed Personnel, Beaverton School District 8 reporting that Christian Robert Yahn (Yahn) violated standards for allegedly grabbing the neck of a 9 student to such an extent that his actions left red marks on the child. 10 Mr. Yahn fully cooperated with the Commission's investigation. After review of the matters 11 alleged, Mr. Yahn and the Commission agree that their respective interests, together with the public 12 interest, are best served by a stipulation to certain facts and the imposition of a thirty (30) day 13 suspension of licensure. 14 This document sets forth the facts upon which the parties have agreed and the stipulated sanction to be imposed. Mr. Yahn stipulates that there is sufficient evidence in the Commission's files 15 16 and records to support the findings of fact, conclusions of law, and order set forth below. 17 By signing below, Mr. Yahn acknowledges, understands, stipulates, and agrees to the 18 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 19 20 rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Suspension 21 (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to 22 the public by the Commission upon request; (iii) this Stipulation and Final Order is contingent upon 23 and subject to approval and adoption by the Commission. If the Commission does not approve and adopt this Stipulation and Final Order, then neither Mr. Yahn nor the Commission are bound by the 24 25 terms herein; (iv) he has fully read this Stipulation and Final Order, and understands it completely; (v) 26 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

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1	representations have been made to induce him to sign this Stipulation and Final Order; and (vii) he
2	has consulted with an attorney regarding this Stipulation and Final Order and has been fully advised
3	with regard to his rights thereto, or waives any and all rights to consult with an attorney prior to
4	entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order
5	below.
6	STIPULATION OF FACTS
7	1. The Commission has licensed Mr. Yahn since July 19, 1988. Mr. Yahn currently holds a
8	Basic Teaching license, issued August 28, 2007, expiring August 27, 2010, with an
9	endorsement in Basic Integrated Science authorized to teach grades 5 through 9.
10	2. On or about March 1, 2007, Mr. Yahn was struck from behind by a student while overseeing
11	students in the hallway outside of his classroom. When Mr. Yahn turned, he saw student BW
12	whom he confronted about the blow to his back.
13	3. Student BW, CY and teacher CM reported that Mr. Yahn placed a hand on student BW's nec
14	and told him never to hit him again. Student BW denies that he was the student who struck
15	Mr. Yahn.
16	4. Student BW reported the contact and witnesses indicated that BW's neck was red following
17	this incident.
18	5 On March 4, 200 Mr. Yahn resigned his position with the Beaverton School District.
19	IT S TO STPALATED AND AGREED TO:
20 21	Christan Robert Yahn  Date
22 23 24 25	Victoria Chambetlain, Executive Director Teacher Standards and Practices Commission  1-23-09 Date
26 27 28 29	         

1 **CONCLUSIONS OF LAW** 2 On March 1, 2007 Mr. Yahn used unreasonable physical force during his interaction with a 3 student. This conduct constitutes gross neglect of duty ORS 342.175(1)(b) in violation of OAR 584-4 020-0040(4)(d) ("Unreasonable physical force against students, fellow employees, or visitors to the 5 school, except as permitted under ORS 339.250") and in violation of OAR 584-020-0040(n) ("Substantial deviation from professional standards of competency set forth in OAR 584-020-0010 6 7 through 584-020-0030") as it incorporates OAR 584-020-0010(5) ("Use professional judgment"). The 8 Commission has the authority to discipline you in regards to this conduct pursuant ORS 9 342.175(1)(b), ORS 342.175(1)(e) and OAR 584-020-0040(3)(c). 10 **ORDER** 11 The Commission adopts and incorporates herein the above finding of facts, conclusions of 12 law, and based thereon, hereby imposes a thirty (30) day suspension upon Christian Robert Yahn's 13 Basic Teaching License effective the date of this Order. 14 IT IS SO ORDERED this 23 day of February 2009. 15 16 TEACHER STANDARDS AND PRACTICES COMMISSION 17 **STATE OF OREGON** 18 19 20