TEACHER STANDARDS AND PRACTICES COMMISSION 1 2 STATE OF OREGON In the Matter of the Teaching License of STIPULATION AND GARY ORVILLE BROWN ORDER OF SUSPENSION 5 6 7 On March 27, 1998, the Teacher Standards and Practices 8 Commission (Commission) issued a Notice of Opportunity for 9 Hearing to Gary Orville Brown. Thereafter Mr. Brown requested a 10 The Commission and Mr. Brown have now reviewed the 11 issues connected with this proceeding and have determined that 12 their respective interests and the public interest are best 13 served by a stipulation to certain facts and the imposition of a 14 six month suspension of Mr. Brown's Oregon teaching license. 15 Brown understands in entering into this stipulation that he is 16 waiving his rights to a hearing, and the Commission will impose a 17 suspension of six months, followed by a period of probation. 18 STIPULATED FACTS 19 Mr. Brown and the Commission stipulate as follows: 20 Mr. Brown holds a standard Oregon teaching license with 1. 21 an endorsement in elementary education. 22 In November 1997, Mr. Brown attempted to send a package 2. 23 containing approximately 45 grams of marijuana via United Parcel 24 Service to an acquaintance of Mr. Brown. The package was 25 confiscated by the police. The police also recovered 41 grams of 26 marijuana from Mr. Brown's vehicle.

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Mr. Brown states that he purchased and sent the 1 3. marijuana to a friend who suffers from degenerative glaucoma. 2 Brown contends that he does not use marijuana or other drugs. 3 On February 27, 1998, Mr. Brown entered a plea of 4 quilty to two counts of the crime Delivering a Controlled 5 Substance (less than one ounce of marijuana). The court 6 sentenced Brown to four days in jail, eighteen months probation, 7 a requirement that he not possess or consume alcohol 8 or illegal drugs, and a requirement that he complete evaluation 9 10 and treatment by Community Counseling Center. Mr. Brown disclosed the above conviction in his 11 application for renewal of his teaching license dated March 5, 12 13 1998. The Commission received a letter from Alfredo Ruiz, a 14 6. drug counselor with Community Counseling Center, containing the 15 following information: Brown completed an alcohol/drug 16 evaluation and showed no indication of alcoholism or drug 17 addiction; Mr. Brown agreed to a urinalysis for alcohol and 18 drugs and all tests were negative; Mr. Brown has been cooperative 19 in all aspects of his drug program. 20 21 22 23 24 25

Executive Director

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DISCUSSION 1 The Commission considers any unlawful use of drugs to be a 2 serious offense. In imposing a sanction, the Commission takes 3 into account the fact that Mr. Brown disclosed the existence of his conviction on his TSPC application, and that Mr. Brown has fully cooperated in his drug counseling program. ORDER 7 The Commission suspends the teaching license of Gary Orville 8 Brown for a period of six months from the date of this order. 9 Following the suspension Mr. Brown may apply for reinstatement, 10 and, if he is otherwise eligible, his license shall be reinstated 11 subject to a period of probation of two years and the conditions 12 that he comply with all laws and all professional standards under 13 14 OAR 584 Division 20. DATED this / day of July, 1998. 15 16 OREGON TEACHER STANDARDS AND PRACTICES COMMISSION 17 18 7/14/98 19 20 **Executive Director** 21 22 23 24 25

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