

1 (vii) he has consulted with an attorney regarding this Stipulation and Final Order and has been fully
2 advised with regard to his rights thereto, or waives any and all rights to consult with an attorney prior
3 to entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order
4 below.

5 **STIPULATION OF FACTS**

6 1. The Commission has licensed Mr. Brinson since June 23, 1985. Mr. Brinson currently
7 holds a Standard Teaching License valid July 20, 2007, through July 19, 2012, with endorsements in
8 Construction, Engineering Technology, and Standard Technology Education.

9 2. On or about January 23, 2005 Mr. Brinson entered an Albany party store after stink bombs
10 were set off by a student in his classroom and confronted two store employees about the sale of stink
11 bombs to students.

12 3. Store employees reported that Mr. Brinson purchased some stink bombs and threatened,
13 on at least on occasion, to set off a stink bomb in the store and that he would return and set one off in
14 the store if another was set off in his classroom. One of the store employees was the parent of a
15 student in Brinson's classroom.

16 4. During the conversation with store employees, Mr. Brinson characterized his visit as
17 representing the school district.

18 5. On October 31, 2002 the Commission disciplined Brinson for using a knife in his classroom
19 for pretending to cut the wires on a students headphones.

20 IT IS SO STIPULATED:

21 *Elvie Isaac Brinson*
22 Elvie Isaac Brinson
23 *Victoria Chamberlain*
24 Victoria Chamberlain, Executive Director
25 Teacher Standards and Practices Commission

8/20/08
Date
8-16-08
Date

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1 **CONCLUSIONS OF LAW**

2 Elvie Issac Brinson angrily confronted, outside of school, district patrons, concerning events
3 occurring in his classroom. This conduct constitutes Gross Neglect of Duty in violation of OR 584-
4 020-0040(4)(n) as it incorporates OAR 584-020-0030(2)(b) (Skill in communicating with students,
5 staff, parents and other patrons) and OAR 584-020-0010(5) (Use professional judgment). The
6 Commission has authority to impose discipline in this matter under ORS 342.120 through 342.430
7 and OAR Chapter 584.

8 **ORDER**

9 The Commission hereby adopts and incorporates herein the above findings of fact and
10 imposes a Public Reprimand on Elvie Issac Brinson. This Stipulation of Facts, Order and Probation
11 constitute the Reprimand.

12 Furthermore, the Commission places Mr. Brinson on Probation for a period of four (4) years
13 subject to the following terms and conditions:

14 1. Mr. Brinson shall, at his own initiative and expense, obtain an evaluation by a
15 psychotherapist, medical professional, or other mental health professional acceptable to the
16 Commission addressing Mr. Brinson's anger management;

17 2. Mr. Brinson shall provide the results of the evaluation to the Commission within the first 6
18 months from the date of this Order;

19 3. Mr. Brinson shall report in writing within ten days to the Executive Director of the
20 Commission any arrest or citation for any felony, misdemeanor, major traffic violation or violation of
21 criminal probation; and

22 4. Mr. Brinson shall comply with the Standards for Competent and Ethical Performance of
23 Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020

24 Violation of any term or condition of probation shall constitute an independent basis for the
25 Commission to revoke Mr. Brinson's teaching license or otherwise impose discipline, after first
26 providing Mr. Brinson with notice and opportunity for hearing.

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1 Issued and dated this 24th day of October, 2008.

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

4 By 
5
6 Victoria Chamberlain, Executive Director

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8 Approved as to form:

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10
11 Ralph Wiser OSB# 81423
12 Attorney for Elvie Issac Brinson

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