

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
2 OF THE STATE OF OREGON
3

4 In the Matter of the Educator License of) DEFAULT ORDER OF
5 JANET ANNE BRENT) PUBLIC REPRIMAND
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8 On December 20, 2012, the Teacher Standards and Practices Commission (Commission)
9 issued a Notice of Opportunity for Hearing to Janet Anne Brent (Brent) in which the
10 Commission charged her with Gross Neglect of Duty. The Notice was sent via U.S. First Class
11 Mail and U.S. Certified Mail Receipt 7011 2000 0001 1292 0585 to the address on file with the
12 Commission. The Notice designated the Commission file as the record for purposes of proving a
13 prima facie case. The Certified Mail was not returned to the Commission, and the return receipt
14 was received by TSPC on January 8, 2013. The regular mail was not returned to the
15 Commission. The Notice of Opportunity of Hearing, dated December 20, 2012, and signed by
16 Victoria Chamberlain, Executive Director, stated:

17 “IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD,
18 YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR
19 FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL.
20 IF YOU DO NOT REQUEST A HEARING OR IF YOU FAIL TO APPEAR AT A
21 HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY
22 INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER
23 DISCIPLINE.”
24

25 Brent did not request a hearing. The Commission, therefore, finds Brent to be in default and
26 enters the following findings of fact, conclusions of law, and final order, based on the files and
27 records of the Commission concerning this matter.

28 **FINDINGS OF FACT**

- 29 1. Janet Anne Brent has been licensed by the Commission since September 11, 2003. Brent’s
30 Initial I Teaching License, with an endorsement in Multiple Subjects Self-Contained (ECE,
31 ELE), was issued July 28, 2010, and expires on September 11, 2013. During all relevant
32 times, Brent was employed by the Eugene 4J School District.
- 33 2. On December 15, 2011, the Commission received a report from the Eugene School District alleging
34 Brent violated professional standards and practices. The resulting Commission investigation
35 determined that on November 4, 2011, while Brent was employed as a substitute teacher at the
36 Bertha Holt Elementary School, Brent lost control while teaching a fifth grade physical education
37 class. Specifically, Brent raised her voice at a student, physically grabbed this student by the
38 shoulders, squeezed him and shoved him down, causing him to cry. Students and parents observed
39 Brent’s behavior and described Brent’s classroom management as poor. Students reported being

1 upset and afraid because of Brent's behavior. Both the school district's and the Commission's
2 investigations determined Brent's use of force on the involved student to be excessive,
3 inappropriate, and in violation of local policy.

4 **CONCLUSIONS OF LAW**

5 Brent's conduct described in section two (2) above, constitutes gross neglect of duty in
6 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-
7 0010(1) (*Recognize the worth and dignity of all persons and respect for each individual*), OAR
8 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0030(3)(d) (*Skill in reconciling*
9 *conflict*); and OAR 584-020-0040(4)(d) (*Unreasonable physical force against students, fellow*
10 *employees, or visitors to the school, except as permitted under ORS 339.250*).

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

13 **FINAL ORDER**

14 The Commission hereby issues a Public Reprimand upon Janet Anne Brent's Educator
15 licensure.

16 IT IS SO ORDERED THIS 19th day of June, 2013.

17 TEACHER STANDARDS AND PRACTICES COMMISSION



18 By: _____
19 Victoria Chamberlain, Executive Director
20
21
22

23 **NOTICE OF APPEAL OR RIGHTS**

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25 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE
26 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF
27 THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO
28 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:

Janet Anne Brent

Dated this 19th day of June, 2013.

By: Patty Liddell
Patty Liddell
Investigative Assistant