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Teacher Standards and Practices Commission

BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
OF THE STATE OF OREGON

In the Matter of the	)	STIPULATION OF FACTS AND
Educator License of	)	FINAL ORDER OF REPRIMAND
MICHAEL DEAN MASON	)	

On July 23, 2014, the Commission learned during the processing of Michael Dean Mason's (Mason) application for renewal of his licensure, that Mason had violated professional standards employing improper and/or out of date restraints and misreporting these events to school administrators.

After review of the matters alleged, Mason and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts and the imposition of a public reprimand.

By signing below, Mason acknowledges, understands, stipulates, and agrees to the 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 rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Reprimand (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to the public upon request by the Commission; (iii) this Stipulation and Final Order is contingent upon and subject to approval and adoption by the Commission. If the Commission does not approve and adopt this Stipulation and Final Order, then neither Mason nor the Commission are bound by the terms herein; (iv) he has fully read this Stipulation and Final Order, and understands it completely; (v) 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 promise or representation has been made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an attorney regarding this Stipulation and Final Order and has been fully advised with regard to his rights thereto, or waives any and all rights to consult with an attorney prior to entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order below.

STIPULATION OF FACTS

1. Michael Dean Mason has been licensed by the Commission since August 23, 2011.

Mason's Initial I Teaching License, with an endorsement in Special Education (ML/HS,

1 ECE/ELE L), is valid from September, 29 2014, through September 28, 2017. During all
2 relevant times, Mason was employed by the Hermiston School District.

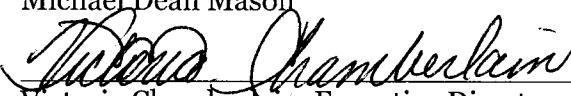
- 3 2. On July 23, 2014, Mason's application for renewal of his license was referred to
4 investigations due to Mason's affirmative answer on character question number one;
5 "*Have you ever left any educational or school-related employment, voluntarily or*
6 *involuntarily while the subject of an inquiry, review or investigation of alleged*
7 *misconduct?...*" Subsequent investigation determined that Mason had violated
8 professional standards; specifically, Mason engaged inappropriate physical contact with
9 students by employing improper and/or out of date restraint holds and misreported these
10 events to school officials.
- 11 3. Commission investigation determined that between September 2013, and October 2013,
12 on several occasions, Mason applied physical restraints on students that were
13 unapproved and/or out dated. School district investigations determined the restraints
14 were not within policy and also concluded that Mason had not been accurate in his
15 reporting of the incidents either in writing or verbally when questioned.

16
17 IT IS SO STIPULATED:

18 
19 _____
20 Michael Dean Mason

6/8/2015

Date

21 
22 _____
23 Victoria Chamberlain, Executive Director
24 Teacher Standards and Practices Commission

6-15-15

Date

25 **CONCLUSION OF LAW**

26 Michael Dean Mason employed physical restraints on students that were
27 unapproved and/or out dated, inaccurately reported the use of these restraints, and
28 violated local school policy related to the same. This conduct constitutes gross neglect of
29 duty in violation ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR
30 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0020(2)(d)(*Skill in the*
31 *supervision of students*), OAR 584-020-0030(2)(b) (*Skill in communicating with*

1 administrators, students, staff, parents, and other patrons), and OAR 584-020-
2 0025(2)(e)(Using district lawful and reasonable rules and regulations).

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

5 **ORDER**

6 Based on the foregoing, the Commission hereby orders as follows:

- 7 1. The Commission adopts and incorporates herein the above findings of fact and
8 conclusions of law, and based thereon, imposes a Public Reprimand on Michael
9 Dean Mason's Initial I Teaching License.
- 10 2. Mason is directed to successfully complete a Commission approved training
11 course on proper student restraint techniques and submit written proof to the
12 Commission within six months from the date of this order, or be subject to
13 additional Commission investigation and possible further disciplinary action.

14
15 Issued and dated this 25th day of June, 2015.

16 **TEACHER STANDARDS AND PRACTICES COMMISSION**
17 **STATE OF OREGON**

18
19 By Victoria Chamberlain
20

Victoria Chamberlain, Executive Director