

1                   BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION  
2   OF THE STATE OF OREGON  
3  
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5   In the Matter of the  
6   Teaching License of  
7   DANIEL WAYNE LEBRUN  
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  |                   DEFAULT ORDER OF  
  |                   DENIAL OF LICENSURE  
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11               On September 26, 2001, the Teacher Standards and Practices Commission issued a  
12   Notice of Opportunity for Hearing to Daniel LeBrun, in which the Commission proposed to  
13   deny issuance of a Substitute Teaching License under ORS 342.175. The notice was sent  
14   via U.S. First Class Mail and U.S. Certified Mail Receipt #7000 0600 0023 8496 9891 to  
15   the address Mr. LeBrun provided to the Commission. The certified mail receipt was signed  
16   and dated by a Frank LeBrun on September 28<sup>th</sup> and returned to the Commission on  
17   October 1, 2001. Daniel LeBrun did not request a hearing.  
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19               The Notice of Opportunity for Hearing, signed by David V. Myton, Executive  
20   Director, stated:

21               If a request for hearing is not received within this 21-day period, your right to  
22   hearing shall be considered waived unless your failure to request a hearing was  
23   beyond your reasonable control. If you do no request a hearing or if you fail to  
24   appear at a hearing, the Commission will adopt an Order of Default which may  
25   include the revocation or suspension of your license or other discipline.  
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27               Based on the foregoing, the Commission finds Daniel LeBrun in default and such  
28   default is hereby entered. Based on the records and files of the Commission, the  
29   Commission enters the following findings of fact and order.  
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31   **FINDINGS OF FACT**  
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33.              1. On January 9, 1986, Daniel LeBrun was issued a Basic Teacher License with an  
34   endorsement in Basic Elementary. LeBrun renewed this license in 1989, 1992, 1995, and  
35   1998.

12. 2. On January 23, 1998, Daniel LeBrun renewed his Basic Teacher license valid  
2 through January 8, 2001. He answered "no" to all character questions, however, circled  
3 the word 'cited' in "Have you ever been arrested or cited for any offense listed in  
4 question (8) above which is still pending in the court?"  
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63. 3. On or about January 1, 2001, LeBrun submitted an Application for Educator  
7 License Form C-1 for his first Substitute Teaching License. LeBrun was not eligible to  
8 renew his Basic Teaching since he did not have 180 days of teaching in Oregon schools  
9 during the life of the current teaching license. LeBrun answered "yes" to character  
10 questions 8 and 10. On the application, LeBrun checked the box for "Check here if for  
11 any 'yes' answer an explanation was provided with a prior application, in which case, no  
12 further explanation is required at this time. LeBrun also wrote "You should have the  
13 explanation on file with court documentation".  
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155. 4. On January 25, 2001, TSPC wrote to LeBrun stating that his application for an  
16 evaluation for licensure is denied in that an incomplete application was submitted. A  
17 written explanation and court records for his "yes" answers were requested since these  
18 documents were not previously filed with TSPC.  
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207. 5. On March 12, 2001, TSPC again wrote to LeBrun requesting a full explanation,  
21 explaining in detail, the court action against him. LeBrun was reminded that the  
22 nonrefundable fee he submitted in January was valid for 90 days from the date of our  
23 January correspondence.  
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259. 6. On February 9, 2001, TSPC received information that Daniel LeBrun is currently  
26 on probation following his conviction on October 13, 1998, for Theft of Government  
27 Funds. This was a Class A misdemeanor offense.  
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#### 29 CONCLUSIONS OF LAW

30 Daniel LeBrun's actions constitute gross unfitness in violation of ORS 342.175 and  
31 OAR 584-050-0006.

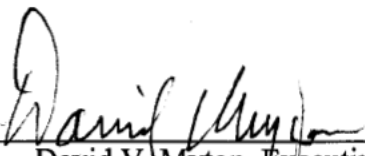
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**ORDER**

The Commission denies issuance of a Substitute Teaching License to Daniel Wayne LeBrun, DOB 01-08-43, for gross unfitness.

Dated this 16<sup>th</sup> day of November 2001.

TEACHER STANDARDS AND PRACTICES COMMISSION

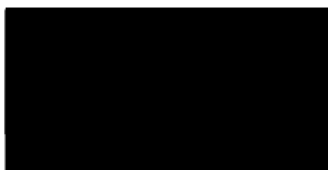
By   
David V. Myton, Executive Director

**NOTICE OF APPEAL OR RIGHTS**

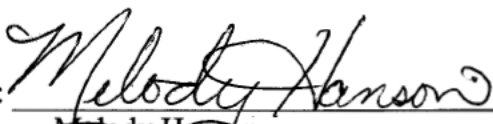
YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.

**CERTIFICATE OF MAILING**

I hereby certify that I served the foregoing order by mailing a true copy thereof certified by me as such by regular U.S. First Class Mail and by U.S. Certified Mail—Return Receipt Requested to:



Dated this 21<sup>st</sup> day of November 2001.

By:   
Melody Hanson  
Executive Assistant to the Commission