

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

4 In the Matter of the Educator                    )  
5 License of    )  
6 STEPHEN PAUL MORDEN                            )

DEFAULT ORDER OF  
REPRIMAND

7  
8  
9           On July 20, 2015, the Teacher Standards and Practices Commission (Commission)  
10 issued a Notice of Opportunity for Hearing to Stephen Paul Morden, (Morden) in which the  
11 Commission charged him with Gross Neglect of Duty. The Notice was sent via U.S. First  
12 Class Mail and U.S. Certified Mail Receipt 7015 0640 0007 1084 6106 to the address on file  
13 with the Commission. The Notice designated the Commission file as the record for purposes  
14 of proving a prima facie case. The Certified Mail was returned to the Commission and  
15 marked "Unclaimed". The first class mail was not returned to the Commission. The Notice  
16 of Opportunity of Hearing, dated July 20, 2015, and signed by Victoria Chamberlain,  
17 Executive Director, stated:

18           "IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY  
19 PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED  
20 UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR  
21 REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF YOU  
22 FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER  
23 OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF  
24 YOUR LICENSE OR OTHER DISCIPLINE."  
25

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

29   **FINDINGS OF FACT**

- 30 1. Morden has been licensed by the Commission since September 11, 2012. Morden's  
31 Initial Teaching License, with an endorsement in Special Education (ML/HS,  
32 ECE/ELE) was valid from September 11, 2012, through March 11, 2014. During all  
33 relevant times, Morden was employed by the Astoria School District.
- 34 2. On April 26, 2013, the Commission received a report indicating Morden had  
35 committed acts of unprofessional conduct in the area of unnecessary physical force  
36 with students. Investigations by the Commission and school officials identified the  
37 following unprofessional conduct:

1 a. During the 2012-2013 school year, Morden was observed employing unapproved  
2 physical restraints on multiple occasions. This included Morden using an arm bar  
3 style hold behind a student's back, locking a student's forearm under their own  
4 chin while pinning the student's thigh to the ground with Morden's knee, and  
5 covering the face of a student by tying a towel over their face because they were  
6 involuntarily spitting. Witnesses advised that Morden was visibly upset and  
7 observed Morden cussing in frustration. Administration identified Morden's  
8 restraint techniques as unapproved and improper. School officials reported  
9 Morden's conduct to law enforcement as possible child abuse. The law  
10 enforcement investigation determined Morden's actions may have violated policy  
11 but did not rise to a level considered criminal. Astoria School District terminated  
12 Morden's employment on April 23, 2013.

#### 13 CONCLUSIONS OF LAW

14 Stephen Paul Morden engaged in unprofessional conduct as described above. This  
15 conduct constitutes Gross Neglect of Duty in violation of ORS 342.175(1)(b); OAR 584-020-  
16 0040(4)(n) as it incorporates OAR 584-020-0010(1) (*Recognize the worth and dignity of*  
17 *all persons and respect for each individual*), OAR 584-020-0010(5) (*Use professional*  
18 *judgment*), OAR 584-020-0025(2)(e) (*Using district lawful and reasonable rules and*  
19 *regulations*); and OAR 584-020-0040(4)(d) (*Unreasonable physical force against*  
20 *students, fellow employees, or visitors to the school, except as permitted under ORS*  
21 *339.250*).  
22

23 The Commission's authority to impose discipline in this matter is based upon ORS  
24 342.175.

#### 25 FINAL ORDER

26 The Commission hereby issues a Public Reprimand upon Stephen Paul Morden's  
27 Educator licensure.

28 IT IS SO ORDERED THIS 21<sup>st</sup> day of October, 2015.

TEACHER STANDARDS AND PRACTICES COMMISSION



By: Victoria Chamberlain, 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.