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Teacher Standards & Practices Commission

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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 REVOCATION
JUSTIN CHIN) OF RIGHT TO APPLY

On or about November 21, 2012, the Teacher Standards and Practices Commission (Commission) received a report from the Dallas School District indicating that Justin Chin (Chin) may have violated professional standards. Subsequent investigation determined that Chin violated professional standards by engaging in verbal harassment of both faculty and students.

Chin fully cooperated with the Commission's investigation in this matter. After review of the matters alleged, Chin 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 revocation of Chin's right to apply for an Oregon educator license.

This document sets forth the facts upon which the parties have agreed and the stipulated sanction to be imposed. Chin stipulates that there is sufficient evidence in the Commission's files and records to support the findings of fact, conclusions of law, and order set forth below.

By signing below, Chin 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 Revocation of Right to Apply (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 Chin 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 promises or representation has been made to induce him to sign this Stipulation and Final Order; and (vii) he

1 has consulted with an attorney regarding this Stipulation and Final Order and has been fully advised
2 with regard to his rights thereto, or waives any and all rights to consult with an attorney prior to
3 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 Chin since August 8, 2001. Chin held an Initial II Teaching License
7 valid from August 9, 2011, through October 1, 2014, with an endorsement in Language Arts (HS)
8 and a Conditional Assignment Permit valid from May 3, 2012 through March 9, 2015, with
9 endorsements in Language Arts (ML) and Social Studies (ML). During all relevant times, Chin
10 was employed by the Dallas School District.
- 11 2) In 2005, Chin was the subject of a previous investigation, but the Commission voted to take no
12 action against Chin's license.
- 13 3) The Commission's current investigation revealed the following pattern of behavior during the
14 2012-2013 school year:
- 15 a) Chin referred to a fellow female teacher as a "Tom-boy" in conversations with students and
16 used her as a writing prompt for students, depicting her as a tom-boy. When confronted by
17 this colleague, Chin replied that he was only joking.
- 18 b) Chin engaged in verbal harassment of a male student using vocal affectations and physical
19 gestures when addressing or mentioning him in class. The behavior was described as
20 "mocking" and "flamboyant." Chin referred to the student as "Lady GH" and used him as a
21 possible writing topic. Other students modeled this behavior, which was not corrected by Chin.
22 When questioned about this behavior, Chin again explained this was joking in nature.
- 23 c) Staff reported Chin would deliberately haze first year teachers by interrupting their
24 classrooms and not speaking to them. In another reported incident, a staff member and
25 spouse reported that Chin made an inappropriate comment about the perceived sexuality of a
26 staff member. To the hazing and inappropriate comment, Chin again explained his behavior
27 was only joking in nature.
- 28 d) Chin verbally mocked a student (GL) with Autism Spectrum Disorder by leaving a voicemail
29 on another student's cell phone claiming to be GL. Students reported that on multiple
30 occasions Chin would imitate GL while she was present in class. When questioned about this,
31 Chin explained that he had only been joking, and had a good working relationship with GL and
32 her family. Upon the request of GL and her family, GL had been placed in Chin's class, and
33 Chin asked to serve as chaperone and to participate in extracurricular events GL attended.

1 4) Chin accepts responsibility for his conduct and has completed 40 hours of training on bullying.
2 Additionally, in his transition to higher education, Chin has made diversity a focus, including
3 developing training on gender, race, sexual identity, poverty and power in the workplace.

4 IT IS SO STIPULATED.

5
6 Justin Chin

Nov. 8, 2015

Date

7
8 Victoria Chamberlain, Executive Director
9 Teacher Standards and Practices Commission

11-10-15

Date

10 **CONCLUSIONS OF LAW**

11 The above described conduct that Justin Chin engaged in constitutes gross neglect of duty in
12 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates, OAR 584-020-
13 0010(1)(*Recognize the worth and dignity of all persons and respect for each individual*), OAR 584-
14 020-0010(5) (*Use professional judgment*), OAR 584-020-0010(6)(*Promote equitable learning*
15 *opportunities*), OAR 584-020-00025(2)(a)(*Establishing and maintaining classroom management*
16 *that is conducive to learning*), OAR 584-020-0025(2)(e)(*Using district lawful and reasonable rules*
17 *and regulations*), OAR 584-020-0030(2)(b)(*Skills in communicating with administrators, students,*
18 *staff, parents and patrons*); and OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-
19 0035(1)(D)(*Honoring appropriate adult boundaries with students in conduct and conversations at*
20 *all times*).

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

22 **ORDER**

23 The Commission hereby adopts and incorporates herein the above stipulation of facts,
24 conclusions of law, and based thereon hereby imposes a revocation of right to apply upon Chin's
25 Initial II Teaching License and any Conditional Assignment Permit.

26 IT IS SO ORDERED this 10th day of November, 2015.

27 TEACHER STANDARDS AND PRACTICES COMMISSION

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29 By: Victoria Chamberlain
30 Victoria Chamberlain, Executive Director