

- 1 3. On July 14, 1992, Lemos was arrested for DUII and Assault IV in Clackamas
2 County. On March 19, 1993, Lemos plead guilty and was convicted in Clackamas
3 County District Court. Lemos was sentenced to 48 hours in jail or 80 hours
4 community service; total fines of \$500.00; attend Victim's Panel; and 24 months in
5 jail, imposition of sentence suspended, for 24 months Probation to Corrections
6 Department for Clackamas County.
- 7 4. On July 4, 1995, Lemos was arrested for Assault IV in St. Paul, Marion County,
8 Oregon. He was intoxicated at the time of his arrest. On October 22, 1995, Lemos
9 plead guilty and was convicted of Assault IV in Marion County District Court. Lemos
10 was sentenced to and 24 months in jail, imposition of sentence suspended, for 24
11 months Probation to Corrections Department for Marion County; additional
12 conditions included: Anger management through NTSI; no contact with victim; no
13 possession or consumption of alcohol; defendant shall not frequent places where
14 alcohol is served; total fines \$560.00.
- 15 5. On September 22, 1995, Lemos was arrested by citation to appear in Ashland
16 Municipal Court on the charge of Disorderly Conduct and Possession of Less Than
17 One Ounce of Marijuana. On October 24, 1995 Lemos was convicted of Disorderly
18 Conduct and sentenced to 60 days in jail, sentence suspended; one year probation;
19 and fined \$300.00 in Ashland Municipal Court. Also, on October 24, 1995, Lemos
20 received Diversion for the charge of Possession of Less Than One Ounce of
21 Marijuana and a fine of \$325.00.

1 6. On August 20, 2000, Lemos was arrested in his residence located in Tillamook
2 County, Oregon, for Domestic Harassment. Lemos was booked into the Tillamook
3 County Jail. His Blood Alcohol Content was .14 by Intoxilyzer.

4 7. Lemos recognizes that he has an alcohol abuse problem and has agreed to a plan
5 of ^{B.L. Residential} ~~inpatient~~ treatment and aftercare as prescribed by treatment provider.


6 Brian Lemos enters into this Stipulation of Facts with the knowledge that the
7 Teacher Standards and Practices Commission will suspend his Oregon Teaching
8 License for a period of sixty days and upon reinstatement of the license shall place him
9 on probation for a period of four years. This Stipulation is contingent upon approval and
10 adoption of the Order by the Commission. If the Commission does not adopt this Order,
11 neither Lemos nor the Commission are bound by these stipulations and Lemos retains
12 the right to a hearing on the allegations.

13 IT IS SO STIPULATED:

14 
15 _____
16 Brian Lemos

9/26/00

Date

17 
18 _____
19 David V. Myton Executive Director
20 Teacher Standards and Practices Commission

9/21/00

Date

21
22
23
24 CONCLUSIONS OF LAW

25 Under ORS 342.175 Lemos violated OAR 584-020-0040(5)(c), Gross Unfitness, when
26 he was convicted of violating state or local laws: April 19, 1993; October 22, 1995; and
27 September 22, 1995. A charge of Domestic Harassment is pending in Tillamook
28 County, Oregon.

ORDER

1
2 The Commission adopts the above finding of fact and suspends the Oregon Teaching
3 License of Brian Lemos for a period of sixty (60) days commencing on the first day of
4 his admission into a residential alcohol abuse rehabilitation treatment facility and a four
5 year probation. At the end of the suspension period, Lemos' Teaching License will be
6 reinstated upon application and certification of completion of residential alcohol abuse
7 rehabilitation treatment and participation in aftercare as prescribed in the treatment
8 plan.

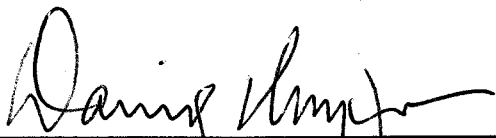
9 The terms of probation are as follows:

- 10 1. Lemos shall, at his own initiative and expense, obtain treatment for his alcohol
11 dependency;
- 12 2. Lemos shall provide the Executive Director with a copy of the treatment plan;
- 13 3. During the period of his suspension and probation, Lemos shall comply with
14 the terms of the treatment plan;
- 15 4. During the period of his probation, Lemos shall obtain from his treatment
16 provider reports of his compliance with the treatment plan, which he (or the
17 provider) will submit to the Executive Director of the Commission. Lemos shall
18 provide these reports monthly for the first six months of his probation and
19 quarterly for the balance of his probation;
- 20 5. If Lemos does not comply with his treatment plan based on the reports of his
21 treatment provider or as otherwise determined by the Executive Director he shall
22 be in violation of the terms of this probation. If the Executive Director determines
23 at any time that Lemos has not complied with the terms of this order, the
24 Executive Director may give notice of intent to revoke Lemos's teaching license

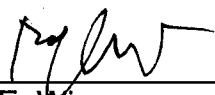
1 on the ground that he has violated the terms of probation. In such event, Lemos
2 shall be entitled to a hearing solely on the issue of whether or not he has
3 complied with the terms of this probation.

4 Dated this 17th day of Nov, 2000

6 TEACHER STANDARDS AND PRACTICES COMMISSION

7
8 By 
9 _____
10 David V. Myton, Executive Director
11

12
13 APPROVED AS TO FORM:

14
15 
16 _____
17 Ralph E. Wisner
18 Attorney for Brian Lemos

19
20
21
22 10/2/00
23 _____
24 Date

[tspc/order/lemos]