

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION

2 OF THE STATE OF OREGON

3 In the Matter of the) STIPULATION OF FACTS,
4 Teaching License of) FINAL ORDER OF REPRIMAND
5 MICHAEL GEORGE YUILLE) AND PROBATION

6 On March 30, 2006, the Teacher Standards and Practices Commission (Commission)
7 received a report from Dan C. Jamison, Superintendent, Sherwood School District, indicating
8 that Michael George Yuille (Yuille) appeared on March 10, 2006, at Sherwood High School
9 under the influence of alcohol.

10 Mr. Yuille fully cooperated with the Commission's investigation. After review of the
11 matters alleged, Mr. Yuille and the Commission agree that their respective interests, together
12 with the public interest, are best served by a stipulation to certain facts, the imposition of a
13 public reprimand followed by a two (2) year probation.

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

18 By signing below, Mr. Yuille acknowledges, understands, stipulates, and agrees to the
19 following: (i) he has been fully advised of his rights to notice and a hearing to contest the
20 findings of fact, conclusions of law, and order set forth below, and fully and finally waives all
21 such rights and any rights to appeal or otherwise challenge this Stipulation of Facts, Final Order
22 of Reprimand and Probation (Stipulation and Final Order); (ii) this Stipulation and Final Order is
23 a public document and disclosed to the public upon request by the Commission; (iii) this
24 Stipulation and Final Order is contingent upon and subject to approval and adoption by the
25 Commission. If the Commission does not approve and adopt this Stipulation and Final Order,
26 then neither Mr. Yuille nor the Commission are bound by the terms herein; (iv) he has fully read
27 this Stipulation and Final Order, and understands it completely; (v) he voluntarily, without any

1 force or duress, enters into this Stipulation and Final Order and consents to issuance and entry
2 of the Stipulated Final Order below; (vi) he states that no promises or representation has been
3 made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an
4 attorney regarding this Stipulation and Final Order and has been fully advised with regard to his
5 rights thereto, or waives any and all rights to consult with an attorney prior to entering into this
6 Stipulation and Final Order and issuance and entry of the Stipulated Final Order below. This
7 Order sets forth the facts upon which the parties have agreed and the sanction to be imposed.
8 Mr. Yuille stipulates that there are sufficient facts contained in the Commission's files and
9 records to support the findings of fact and conclusions of law set forth below. In entering into
10 this stipulation, Mr. Yuille waives the right to a hearing to contest the findings of fact, conclusion
11 of law and order set forth below. Mr. Yuille understands that the probation will be subject to
12 specific terms and conditions.

13 **STIPULATION OF FACTS**

- 14 1. Mr. Yuille has been licensed by the Commission since July 1, 1976. Mr. Yuille
15 currently holds a Standard Teaching License valid February 27, 2003, through April 12, 2008,
16 with a Standard Social Studies endorsement.
- 17 2. Mr. Yuille began teaching for Sherwood School District in 1976. Mr. Yuille resigned
18 effective June 30, 2006, and has retired from teaching.
- 19 3. On March 10, 2006, Mr. Yuille arrived at Sherwood High School under the influence
20 of alcohol, was transported to Tualatin Police Department for an assessment at 10:30 a.m., and
21 blew an alcohol level of .09.
- 22 4. Mr. Yuille attended an out-patient substance abuse program at Providence St.
23 Vincent Medical Center from March 13, 2006, through June 8, 2006. In this program Mr. Yuille
24 has presented a post-treatment maintenance plan, including maintaining physical self-care,
25 healthy communication with his wife and a daily journal to evaluate periodic alcohol
26 consumption.

1 Mr. Yuille enters into this Stipulation of Facts with the knowledge that the Commission
2 shall place him on probation for a period of two (2) years. This Stipulation is contingent upon
3 approval and adoption of the Order by the full Commission. If the Commission does not adopt
4 this Order, neither Mr. Yuille nor the Commission are bound by these stipulations and Mr. Yuille
5 retains the right to a hearing on the allegations.

6 **IT IS SO STIPULATED AND AGREED TO:**

7 *Michael George Yuille*
8 Michael George Yuille

2/5/07
Date

9 *Victoria Chamberlain*
10 Victoria Chamberlain, Executive Director
11 Teacher Standards and Practices Commission
12

3-07-07
Date

13 **CONCLUSIONS OF LAW**

14 By appearing on duty under the influence of alcohol on March 10, 2006, at Sherwood
15 High School, Michael George Yuille violated OAR 584-020-0040(4)(g). This conduct constitutes
16 Gross Neglect of Duty. The Commission's authority to impose discipline in this matter is based
17 upon ORS 342.175.

18 **FINAL ORDER**

19 The Commission adopts and incorporates herein the above finding of facts, conclusions
20 of law, and based thereon, hereby imposes a Public Reprimand on Michael George Yuille. This
21 Order shall serve as the Public Reprimand.

22 Furthermore, the Commission places Mr. Yuille on Probation for a period of two (2)
23 years to commence the date of this order, subject to the following terms and conditions:

24 1. Mr. Yuille shall report in writing within ten days to the Executive Director of the
25 Commission any arrest or citation for any felony, misdemeanor, major traffic violation or
26 violation of criminal probation; and

27 2. Mr. Yuille shall comply with the Standards for Competent and Ethical Performance of
28 Oregon Educators pursuant to Oregon Administrative Rules Chapter 584, Division 020.

1 Violation of any term of probation shall constitute an independent basis for the
2 Commission to revoke Mr. Yuille's teaching license or otherwise impose discipline, after first
3 providing Mr. Yuille with notice and opportunity for hearing.

4 IT IS SO ORDERED this 19 day of March, 2007.

5 **TEACHER STANDARDS AND PRACTICES COMMISSION**
6 **STATE OF OREGON**

7
8 By *Victoria Chamberlain*
9 Victoria Chamberlain, Executive Director

10 Approved as to form:

11 *Ralph Wiser* 2/5/07

12
13 Ralph Wiser OSB# 81423
14 Attorney for Michael George Yuille

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