

BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
OF THE STATE OF OREGON

In the Matter of the)	STIPULATION OF FACTS,
Teaching License of)	ORDER OF REPRIMAND
MARGARET ANN EARL)	AND PROBATION
)	

On or about June 14, 2002, the Teacher Standards and Practices Commission (Commission) received a report from Maureen R. Sloane, Human Resources Counsel of Portland Public Schools indicating that Margaret Ann Earl (Earl) may have violated Standards on May 22, 2002, by appearing on duty under the influence of alcohol.

Ms. Earl fully cooperated with the Commission's investigation. After review of the matters alleged, Ms. Earl and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts, the imposition of a Public Reprimand and a four (4) year probation. This Order sets forth the facts upon which the parties have agreed and the sanction to be imposed. In entering into this stipulation, Ms. Earl waives the right to a hearing to contest the findings of fact, conclusion of law and order set forth below. Ms. Earl understands that the probation will be subject to specific conditions.

STIPULATION OF FACTS

1. The Commission has licensed Margaret Ann Earl since July 1, 1973. Ms. Earl currently holds a Substitute Teaching License valid October 2, 2000, through February 28, 2004, with a Substitute Any Specialty Endorsement.
2. Ms. Earl has served as a substitute teacher for Portland Public Schools and Tigard-Tualatin School District on a regular basis for the past three years.
3. Ms. Earl appeared on duty smelling of alcohol on May 22, 2002, at Beach Elementary School. She admits to drinking the previous evening and consuming a beer

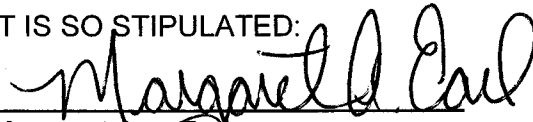
at 4:15 a.m. on May 22, 2002. On June 10, 2002, she entered into an agreement with Portland Public School requiring a chemical dependency evaluation.

4. On June 26, 2002, Ms. Earl entered an out-patient treatment program at CODA Treatment Recovery Prevention.


5. Ms. Earl recognizes that she has an alcohol abuse problem and has agreed to a plan of treatment and aftercare as prescribed by her treatment provider.

Margaret Ann Earl enters into this Stipulation of Facts with the knowledge that the Teacher Standards and Practices Commission shall place her on probation for a period of four (4) years. This Stipulation is contingent upon approval and adoption of the Order by the full Commission. If the Commission does not adopt this Order, neither Ms. Earl nor the Commission are bound by these stipulations and Ms. Earl retains the right to a hearing on the allegations.

IT IS SO STIPULATED:


Margaret Ann Earl

10/2/02
Date


Victoria Chamberlain, Executive Director
Teacher Standards and Practices Commission

10-3-02
Date

CONCLUSIONS OF LAW

Margaret Ann Earl violated OAR 584-020-0040(4)(g) by appearing on duty while under the influence of alcohol on May 22, 2002, at Beach Elementary School. This misconduct constitutes Gross Neglect of Duty. The Commission's authority to impose discipline in this matter is based upon ORS 342.175.

ORDER

The Commission imposes a Public Reprimand on Ms. Earl. This Stipulation of Facts, Order and Probation constitutes the Reprimand. Furthermore, the Commission

imposes a four (4) year probation upon Ms. Earl subject to the following conditions.

The terms of probation are as follows:

1. Ms. Earl shall, at her own initiative and expense, continue to obtain treatment for her alcohol dependency as recommended by her alcohol treatment provider;
2. During the period of her probation, Ms. Earl shall submit to the Executive Director of the Commission reports of her compliance with the treatment plan. Ms. Earl shall provide these reports every six (6) months during her probation;
3. Ms. Earl shall comply with all Standards for Competent and Ethical Performance under Chapter 584, Division 020.


If Ms. Earl does not comply with her treatment plan based on the reports of her treatment provider or as otherwise determined by the Executive Director she shall be in violation of the terms of this probation. Violation of the terms of this probation may constitute an independent basis for the Commission to impose discipline, up to and including revocation of Ms. Earl's teaching license subject to Ms. Earl's right to a hearing on the issue of whether she violated probation.

IT IS SO ORDERED this 11 day of October, 2002

TEACHER STANDARDS AND PRACTICES COMMISSION

By 
Victoria Chamberlain, Executive Director

Approved as to form:


Elizabeth A. Joffe OSB# 94024
Attorney for Margaret Ann Earl

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