

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
2
3 OF THE STATE OF OREGON
4

5 In the Matter of the)
6 Teaching License of) STIPULATION OF FACTS,
7 WENDY ANN McFARLAND) ORDER OF REPRIMAND AND
8) PROBATION
9

10 On or about June 26, 2001, the Teacher Standards and Practices Commission
11 (Commission) received an application for a Transitional Teaching License from Wendy Ann
12 McFarland. Ms. McFarland reported on in the character question section of Application for
13 Educator Licensure Form C-1 that she was convicted of a crime (number 8)and that she pled
14 guilty or No Contest relative to a crime (number 10). Ms. McFarland provided extensive
15 documentation indicating that she was convicted for the crime of DUII on April 15, 1986; DUII on
16 May 17, 1989; DUII on December 15, 1992; and DUII on September 25, 1996. After review of
17 the facts in this matter, Ms. McFarland and the Executive Director agree that their respective
18 interests, together with the public interests, are best served by a stipulation to certain facts, a
19 reprimand followed by a probation of four (4) years

20 This Order sets forth the facts upon which the parties have agreed and the sanction to
21 be imposed. In entering into this stipulation, Ms. McFarland waives the right to a hearing to
22 contest the findings of fact, conclusion of law and order set forth below. Ms. McFarland
23 understands that the Commission will impose a four (4) year probation with specific conditions.

24 This stipulation is contingent upon approval and adoption of the Order by the
25 Commission. If the Commission does not adopt this Order, neither Ms. McFarland nor the
26 Commission are bound by these Stipulations and Ms. McFarland retains all rights to a hearing
27 on the allegations.

28 **STIPULATION OF FACTS**

29 1. On or about June 26, 2001, The Commission received an application for a Transitional
30 Teaching License from Wendy Ann McFarland.

2. Ms. McFarland currently holds a California Teaching License valid July 1, 2000 to July 1, 2005. The California Commission Teacher Credentialing investigated all four of Ms. McFarland's convictions and recommended no adverse action on or about September 27, 2000.
3. On or about April 15, 1986, Ms. McFarland was convicted of driving under the influence of alcohol in Superior Court for Ventura County California.
4. On or about May 17, 1989, Ms. McFarland was convicted of driving under the influence of alcohol in Superior Court for Santa Clara County California.
5. On or about December 15, 1992, Ms. McFarland was convicted of driving under the influence of alcohol in Stockton Municipal Court, County of Joaquin, State of California.
6. On or about September 25, 1996, Ms. McFarland was convicted of driving under the influence of alcohol in San Luis Obispo County Municipal Court for the State of California.
7. Ms. McFarland has no prior or subsequent criminal convictions.
8. Ms. McFarland acknowledges that she suffers from the disease of alcoholism.

IT IS SO STIPULATED:

Wendy Ann McFarland
Wendy Ann McFarland

8-27-01
Date

David V. Myton
David V. Myton, Executive Director

8/6/01
Date

CONCLUSION OF LAW

McFarland's criminal convictions for Driving Under the Influence on April 15, 1986; May 17, 1989; December 15, 1992; and September 25, 1996 constitutes Gross Unfitness as defined in OAR 580-020-0040(5)(c).

ORDER

The Commission adopts the above Findings of Fact and orders a Public Reprimand for convictions of the crimes of Driving Under the Influence.

1 The Commission authorizes issuance of a Transitional Teaching License to Wendy Ann
2 McFarland subject to all standard terms and conditions and subject to the following special
3 terms of probation:

4 1. The Commission places Ms. McFarland on a four (4) year probation to commence the
5 issuance date of a Transitional Teaching License.

6 2. The probation shall remain in effect subject to the following conditions:

7 a. Ms. McFarland shall conduct herself as a law-abiding citizen;

8 b. Ms. McFarland shall report in writing within ten days to the Executive Director of the
9 Commission any arrest or citation for any felony, misdemeanor, major traffic
10 violation;

11 c. Ms. McFarland shall continue to maintain her sobriety and abstain from consumption
12 of alcohol; and

13 d. Ms. McFarland shall comply with the Standards for Competent and Ethical
14 Performance of Oregon Educators under OAR 584, Division 20.

15 Violation of any of the terms of probation shall constitute an independent basis for the
16 Commission to revoke Ms. McFarland's teaching license or otherwise impose discipline, after
17 first providing Ms. McFarland with notice and opportunity for hearing.

18 Dated this 14th day of September 2001.

19 TEACHER STANDARDS AND PRACTICES COMMISSION

20
21
22
23
By:



David V. Myton, Executive Director