

1 appeared to be incapacitated, unsteady on her feet, and slurred her speech. School staff
2 smelled alcohol on Ms. Barnes breath while she was at the school. As Ms. Barnes went to
3 leave the school, she bumped into a side mirror of a pick up in the parking lot and appeared
4 unsteady. The school principal reported Ms. Barnes conduct to the Sweet Home Police
5 department. By Ms. Barnes conduct described above, she appeared for duty while under the
6 influence of alcohol or a controlled substance, in violation of OAR 584-020-0040(4)(g).

7 3. On or about March 15, 2007, Ms. Barnes was convicted for Driving Under the
8 Influence of Intoxicants in the Municipal Court of Sweet Home. The conviction resulted from
9 Ms. Barnes conduct immediately after leaving Foster Elementary as described in paragraph 1.
10 A police officer responding to the school principal's call witnessed Ms. Barnes driving erratically
11 from the Foster Elementary School parking lot for several blocks. After being arrested and
12 cited, Ms. Barnes registered a 0.12% blood alcohol content at approximately 12:20 p.m. Ms.
13 Barnes conviction under the specific circumstances constitutes gross unfitness in violation of
14 OAR 584-020-0040(5)(c). (Conviction of violating any federal, state, or local law. A conviction
15 includes any final judgment of conviction by a court whether as the result of guilty plea, no
16 contest plea or any other means).

17 4. During the course of the investigation Ms. Barnes was untruthful to TSPC
18 investigators in her responses to questions concerning these events. Ms. Barnes responses to
19 questions regarding the above incidents were contrary to what was contained in the police
20 reports and reports from school personnel. By misrepresenting the nature and extent of the
21 incidents above, Ms. Barnes engaged in gross neglect of duty in violation of OAR 584-020-
22 0040(4)(c).

23 **CONCLUSIONS OF LAW**

24
25 Carolyn Sue Barnes' appearance for duty under the influence of alcohol constitutes
26 Gross Neglect of Duty in violation of OAR 584-020-0040(4)(g). Ms. Barnes' conviction for DUII

1 constitutes Gross Unfitness in violation of OAR 584-020-0040(5)(c). Ms. Barnes'
2 misrepresentation of the nature and extent of the incidents above constitutes Gross Neglect of
3 Duty in violation of OAR 584-020-0040(4)(c). The Commission's authority to impose discipline
4 in this matter is based on ORS 342.177.

5 **FINAL ORDER**

6 The Commission adopts and incorporates herein the above findings of facts and
7 conclusions of law, and based thereon, hereby revokes the Basic Teaching License and
8 Substitute Teaching License issued to Carolyn Sue Barnes.

9 Issued and dated this 11 day of February, 2008.

10 TEACHER STANDARDS AND PRACTICES COMMISSION

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By: 
Victoria Chamberlain, Executive Director

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NOTICE OF APPEAL OR RIGHTS

YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE
OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE
OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS
183.482 TO THE OREGON COURT OF APPEALS.

CERTIFICATE OF MAILING

I hereby certify that I served the foregoing order by mailing a true copy thereof certified by me as such by U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

Carolyn Sue Barnes
810 Elm Street
Sweet Home OR 97386-3424

Dated this 24th day of March, 2008.

By: Melody Hanson
Melody Hanson, Executive Assistant