

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
7
8 ROBIN JOY BERGIN
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STIPULATION OF FACTS, SURRENDER,
ORDER OF SUSPENSION AND
PROBATION

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11 On January 12, 2004, the Teacher Standards and Practices (Commission) received a
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13 report from the superintendent of the North Clackamas School District alleging that Robin Joy
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15 Bergin had violated Standards for Competent and Ethical Performance of Oregon Educators.
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17 After a review of the matters alleged, the Commission and Ms. Bergin have agreed that
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19 their respective interests, together with the public interest, are best served by a stipulation to
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21 certain facts and the surrender of Ms. Bergin's teaching license under OAR 584-050-0027. In
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23 entering this stipulation, Ms. Bergin understands that the Commission will accept the surrender
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25 of her teaching license, suspend the license for six months and impose a two year probation
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following any future reinstatement of her license.

This stipulation and order are contingent upon approval and adoption by the
Commission. If the Commission does not accept this stipulation and order, neither Ms. Bergin
nor the Commission are bound by the stipulations and Ms. Bergin retains all rights to a hearing
concerning the allegations in the notice of hearing.

STIPULATION

Ms. Bergin denies that she engaged in conduct which would constitute gross neglect of
duty. However, she acknowledges and stipulates that there is sufficient evidence in the record
for the Commission to make the findings of facts and conclusions of law set forth below, and she
stipulates that the Commission may do so.

1 IT IS SO STIPULATED:
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10 Robin Joy Bergin

10/4/05
Date

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

10-12-05
Date

13 **FINDINGS OF FACT**
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15 1. Ms. Bergin holds a Standard Personnel License that was issued on March 22,
16 2001 and is valid through April 4, 2006. She has a Standard Counselor endorsement.
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18 2. Ms. Bergin has been employed as a counselor at the Rex Putnam High School in
19 the North Clackamas School District from 1996 until approximately August 20, 2004 when she
20 was dismissed from her position with the district.
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22 3. On multiple occasions during the 2002-2003 school year, Ms. Bergin engaged in
23 a sexual liaison with a male physical education teacher at the high school on school grounds and
24 during school hours, frequently when students were present in the building.
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26 4. Ms. Bergin has not been employed in a teaching or counseling position with any
school district since her dismissal in August 2004.

DISCUSSION

The Commission would normally impose a one-year suspension, which is the sanction that TSPC previously imposed against the male teacher with whom Ms. Bergin engaged in a sexual liaison. However, taking into account that Ms. Bergin has not been employed since August 2004 in any position which would require an Oregon Teaching License, the Commission

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1 will impose a six-month suspension with specific conditions that Ms. Bergin must fulfill in order
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3 to obtain reinstatement of her license.
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5 **CONCLUSION OF LAW**
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7 Ms. Bergin's conduct constituted gross neglect of duty in violation of OAR 584 020-
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9 0040(4)(b) and OAR 584-020-0040(4)(o) as that rule incorporates OAR 584-020-0035(3)(a).
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11 **ORDER**
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13 The Commission accepts the surrender of Ms. Bergin's Standard Teaching License and
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15 hereby suspends the license for a period of six months, effective on the date of this order. At the
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17 end of the suspension period, Ms. Bergin may apply for reinstatement of her license under OAR
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19 584-050-0015 if she meets the following conditions:
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- 21 1. Ms. Bergin submits a complete application for reinstatement and fees.
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23 2. Ms. Bergin submits documentation that she has undergone an evaluation by a
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25 mental health professional who is acceptable to the Commission; the documentation shall
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include a full written report to the Commission attesting (a) that Ms. Bergin is fit to work with
children and teenagers, and (b) that there is a high probability she will not repeat the
inappropriate behavior described in this order or similar inappropriate behavior. Any costs
associated with the assessment or treatment will be the responsibility of Ms. Bergin.

Upon reinstatement of her license, Ms. Bergin shall be placed on probation to the
Commission for a period of two years subject to the following terms and conditions:

1. Ms. Bergin shall comply with any treatment or counseling as recommended by
the individual who completed the evaluation described above. Ms. Bergin shall authorize and

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1 sign any consent forms as necessary for the treatment provider or counselor to furnish records to
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3 the Commission or discuss Ms. Bergin's treatment with the Commission.
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5 2. Ms. Bergin shall comply with all Standards for Competent and Ethical
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7 Performance of Oregon Educator's under OAR 584 Division 020.
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9 3. Ms. Bergin shall provide information as requested by the Commission to verify
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11 that she has complied with the conditions of probation, including, if requested, a statement from
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13 any employing school district that Ms. Bergin has complied with professional standards.
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15 Violation of any term or condition of this probation may constitute an independent basis
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17 for the Commission to impose discipline, up to and including revocation of Ms. Bergin's
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19 teaching license, subject to the right to a hearing on the issue of whether she violated probation.
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23 IT IS SO ORDERED this 7th day of November, 2005.

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25 TEACHER STANDARDS AND PRACTICES COMMISSION
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By: 
Victoria Chamberlain, Executive Director