

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) AND FINAL ORDER OF
5 W. TERRY HAINSWORTH) REPRIMAND AND PROBATION
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8 On April 21, 2010, the Teacher Standards and Practices Commission (Commission) received
9 report from Central School District indicating that Mr. Hainsworth may have engaged in gross neglect
10 of duty.

11 After review of the matters alleged, Mr. Hainsworth and the Commission agree that their
12 respective interests, together with the public interest, are best served by a stipulation to certain facts
13 and a public reprimand along with a one year period of probation.

14 This document sets forth the facts upon which the parties have agreed and the stipulated
15 sanction to be imposed. Mr. Hainsworth 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 forth
17 below.

18 By signing below, Mr. Hainsworth 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 findings of
20 fact, conclusions of law, and order set forth below, and fully and finally waives all such rights and any
21 rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Reprimand and
22 Probation(Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and
23 disclosed to the public upon request by the Commission; (iii) this Stipulation and Final Order is
24 contingent upon and subject to approval and adoption by the Commission. If the Commission does
25 not approve and adopt this Stipulation and Final Order, then neither Mr. Hainsworth nor the
26 Commission are bound by the terms herein; (iv) he has fully read this Stipulation and Final Order, and
27 understands it completely; (v) he voluntarily, without any force or duress, enters into this Stipulation
28 and Final Order and consents to issuance and entry of the Stipulated Final Order below; (vi) he states
29 that no promises or representation has been made to induce him to sign this Stipulation and Final


1 Order; and (vii) he has consulted with an attorney regarding this Stipulation and Final Order and has
2 been fully advised with regard to his rights thereto, or waives any and all rights to consult with an
3 attorney prior to entering into this Stipulation and Final Order and issuance and entry of the Stipulated
4 Final Order below. This Order sets forth the facts upon which the parties have agreed and the
5 sanction to be imposed. Mr. Hainsworth stipulates that there are sufficient facts contained in the
6 Commission's files and records to support the findings of fact and conclusions of law set forth below.
7 In entering into this stipulation, Mr. Hainsworth waives the right to a hearing to contest the findings of
8 fact, conclusions of law and order set forth below.

9 **STIPULATION OF FACTS**


10 1. Mr. Hainsworth has been licensed as a teacher since August 21, 2008. Mr. Hainsworth held
11 in Initial I Teaching License issued August 21, 2008 with an endorsement in Special Education that
12 expired on May 14, 2012. During all relevant times Mr. Hainsworth was employed by Central School
13 District.

14 2. On March 4, 2010, Mr. Hainsworth was directing a special education student at Poyama
15 Day Treatment School. The student was not following directions so Mr. Hainsworth asked him to go
16 to the 'back-up room', a customary place to send students who were disruptive. Mr. Hainsworth
17 followed the student per protocol but the student went into a different room. While the student was
18 attempting to prevent access to the room, Mr. Hainsworth forced the door open and physically took
19 hold of the student's sweatshirt, causing Mr. Hainsworth and the student to collapse to the floor. The
20 student complained that his neck hurt as a result. Mr. Hainsworth's conduct did not comply with
21 ProAct training that he had previously received.

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

23
24 
25 W. Terry Hainsworth

1/10/14
Date

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27 
28 Victoria Chamberlain, Executive Director
29 Teacher Standards and Practices Commission

1-22-14
Date

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CONCLUSIONS OF LAW

1. By engaging in the conduct in paragraph 2, Mr. Hainsworth engaged in gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(1) (*Recognize the worth and dignity of all persons and respect for each individual*), OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0020(2)(d) (*Skill in the supervision of students*), OAR 584-020-0030(2)(b) (*Skill in communicating with administrators, students, staff, parents, and other patrons*); OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(1)(c)(D) (*Honoring appropriate adult boundaries with students in conduct and conversations at all times.*)

FINAL ORDER

1. Based on the foregoing, the Commission hereby imposes a Public Reprimand on W. Terry Hainsworth.
2. The Commission further places Mr. Hainsworth on probation for a period of 1 year beginning the date that this order is final. During the period of probation, Mr. Hainsworth will follow the standards set by TSPC and state law for Oregon.
3. Violation of any term or condition of probation shall constitute an independent basis for the Commission to revoke Mr. Hainsworth's teaching license or otherwise impose discipline, after first providing Mr. Hainsworth with notice and opportunity for hearing.

Issued and dated this 10th day of March, 2014.

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

By: *Victoria Chamberlain*
Victoria Chamberlain, Executive Director