

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

In the Matter of the
Teaching License of
JAMES RANDALL HEATH

Case No. 111637

**STIPULATION OF FACTS, ORDER OF
SUSPENSION AND PROBATION**

On or about November 13, 2001, the Teacher Standards and Practices Commission ("Commission") received a report from Candace Manary, Superintendent, Jackson County School District stating that James Randall Heath ("Heath") failed to follow district policy in handling and accounting funds. The Commission has also determined that Heath failed to disclose a criminal conviction on his Application for Educator License Form C-1 dated August 22, 2001.

Heath cooperated fully with the Commission's investigation. After review of the matters alleged, Heath and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts and a suspension of his right to apply for a teaching license. This Order sets forth the facts upon which the parties have agreed and the sanction to be imposed. Heath and the Commission stipulate the following facts are true and that there are sufficient facts in the Commission's file and records to support the findings of fact and conclusion of law contained in this Order. In entering into this stipulation, Heath waives the right to a hearing to contest the findings of fact, conclusion of law and order set forth below. Heath understands that the Commission will suspend his right to apply for a teaching license for six (6) months and that upon reinstatement of a teaching license Heath will be placed on probation for a period of two (2) years.

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1 The stipulation is contingent upon approval and adoption of the Order by the
2 Commission. If the Commission does not adopt this Order, neither Heath nor the Commission
3 are bound by the stipulation and Heath retains all rights to a hearing on the allegations.
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5 **STIPULATION OF FACTS**

6 1. On August 31, 2001, the Commission issued Heath a Basic Teaching License,
7 restricted to Central Point School District. The license expired on August 30, 2002.


8 2. Heath was employed by Central Point School District from August 30, 1998, until his
9 resignation on November 9, 2001.

10 3. Heath violated district policy regarding the accounting and depositing of school funds.

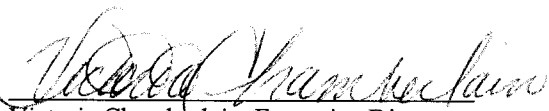
11 4. Heath failed to disclose on Application for Educator License Form C-1 dated and
12 signed August 22, 2001, that he was convicted in Medford Municipal Court on August 18, 1999
13 for Driving While Suspended.

14 5. Heath accepts responsibility for his behavior and acknowledges his behavior was
15 inappropriate.
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19 IT IS SO STIPULATED:

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21 
22 James Randall Heath

4/29/04
Date

23
24 
25 Victoria Chamberlain, Executive Director
26 Teacher Standards and Practices Commission

5-13-04
Date

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CONCLUSIONS OF LAW

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3 1. James Randall Heath failed to follow district policy regarding the collection of funds,
4 accounting and the deposit of those funds for a district-sponsored football camp in 2001, for
5 Jackson County School District #6, Central Point, Oregon. This conduct constitutes Gross
6 Neglect of Duty in violation of OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-
7 0025(2)(d). The Commission's authority to impose discipline in these matters is based upon
8 ORS 342.175.

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10 2. James Randall Heath failed to disclose a criminal conviction on an Application for Educator
11 License Form C-1 dated August 22, 2001. This conduct constitutes Gross Neglect of Duty in
12 violation of OAR 584-020-0040(4)(c). The Commission's authority to impose discipline in
13 these matters is based upon ORS 342.175.

ORDER

15 The Commission suspends James Randall Heath's right to apply for an Oregon Teaching
16 License for six (6) months. At the end of this suspension period, Heath may apply for a teaching
17 license pursuant to OAR 584-050-0015(3) requiring supporting documentation and fees.

18
19 Upon reinstatement of a teaching license, Heath shall be placed on probation by the
20 Commission for a period of two (2) years. During the term of the probation, Heath shall comply
21 with the Standards for Competent and Ethical Performance of Oregon Educators under Oregon
22 Administrative Rules, Chapter 584, Division 020.

23 Violation of the conditions of probation shall constitute an independent basis for the
24 Commission to revoke Heath's teaching license or otherwise impose discipline, after first
25 providing Heath with notice and opportunity for hearing.
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2 Dated this 7th day of May 2004.

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4 TEACHER STANDARDS AND PRACTICES COMMISSION

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6 By: Victoria Chamberlain
7 Victoria Chamberlain, Executive Director
8 Teacher Standards and Practices Commission

9 Approved as to form:

10
11 John S. Bishop II
12 John S. Bishop II, OSB #89027
13 Attorney for James Randall Heath