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

In the Matter of the)	STIPULATION OF FACTS AND
Teaching License of)	FINAL ORDER OF SUSPENSION
TAMMY RAE BLANCHARD)	AND PROBATION

On or about September 19, 2011, the Teacher Standards and Practices Commission (Commission) received a report from the Nyssa School District indicating that Tammy Blanchard (Blanchard) was suspected of soliciting prescription pain medications from students and community members.

Blanchard fully cooperated with the Commission's investigation in this matter. After review of the matters alleged, Blanchard and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts, the imposition of a 60 day suspension followed by four (4) year probation and monitoring period.

By signing below, Blanchard acknowledges, understands, stipulates, and agrees to the following: (i) she has been fully advised of her rights to notice and a hearing to contest the findings of fact, conclusions of law, and order set forth below, and fully and finally waives all such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Suspension (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to the public upon request by the Commission; (iii) this Stipulation and Final Order is contingent upon and subject to approval and adoption by the Commission. If the Commission does not approve and adopt this Stipulation and Final Order, then neither Blanchard nor the Commission are bound by the terms herein; (iv) she has fully read this Stipulation and Final Order, and understands it completely; (v) she voluntarily, without any force or duress, enters into this Stipulation and Final Order and consents to issuance and entry of the Stipulated Final Order below; (vi) she states that no promise or representation has been made to induce her to sign this Stipulation and Final Order; and (vii) she has consulted with an attorney regarding this Stipulation and Final Order and has been fully advised with regard to his rights thereto, or waives any and all rights to consult with an attorney prior to entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order below. Blanchard understands that the probation will be subject to specific terms and conditions.

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STIPULATION OF FACTS

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1. The Commission has licensed Tammy Rae Blanchard since December 28, 1994. Blanchard’s current Standard Teaching License with an endorsement in Standard Language Arts, issued on October 5, 2008, expires on October 4, 2013. During all relevant times Blanchard was employed by the Nyssa School District as a full time teacher. She resigned effective October 5, 2011. .
2. Blanchard is a long term educator who has no previous disciplinary issues with TSPC or the Nyssa School District. Blanchard has been a well-respected language arts teacher throughout her employment at the Nyssa School District.
3. Blanchard was diagnosed with cancer in March 2008. For approximately two years, Blanchard was on intermittent leave for radiation, chemotherapy and various surgeries. She returned to work full time in the spring of 2010.
4. Blanchard experiences significant pain in her hip and leg as a result of her cancer treatment and ongoing anti-cancer drug regimen. Blanchard reports that her pain was under-managed in late 2010 and early 2011. Her doctor referred her to Meridian Pain Clinic, a clinic specializing in pain management, where she was placed on a different long-acting medication that has much more effectively managed her pain.
5. Since March, 2011, Blanchard has been seen monthly at the pain management clinic. At each visit, she must submit a urine test. Her pain management specialist reports that Blanchard has been compliant with the treatment plan and exhibited no signs of abuse or drug seeking behavior. According to reports, She is also functioning well under the treatment protocol. Blanchard will continue to be monitored monthly at the clinic for as long as she continues to need specialized pain management care.
6. In January and February, 2011, before she went to the pain management clinic, Blanchard asked for and received prescription pain medications on three occasions, twice from community members and once from a student. The pain management specialist has characterized this as a “pseudo-addiction” behavior which has been resolved by effective pain management.

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1 IT IS SO STIPULATED:

2 Tammy Rae Blanchard
3 Tammy Rae Blanchard

03/22/12
Date

4 Victoria Chamberlain
5 Victoria Chamberlain, Executive Director
6 Teacher Standards and Practices Commission
7

3-9-12
Date

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9 **CONCLUSION OF LAW**

10 In January and February, 2011, Blanchard asked for and received prescription
11 pain medication from a student and two community members. This conduct constitutes
12 gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it
13 incorporates OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-
14 0035(1)(b) (*Refrain from exploiting professional relationships with any student for*
15 *personal gain, or in support of persons or issues*), OAR 584-020-0035(1)(c)(D)
16 (*Honoring appropriate adult boundaries with students in conduct and conversations at*
17 *all times*); and gross unfitness in violation of ORS 342.175(1)c); OAR 584-020-
18 0040(5)(e) (*Admission of or engaging in acts constituting criminal conduct, even in the*
19 *absence of a conviction*), specifically, OAR 475.752(3) (*...possess a controlled substance*
20 *unless the substance was obtained directly from, or pursuant to, a valid prescription...*)

21 The Commission's authority to impose discipline in this matter is based upon
22 ORS 342.175.

23 **ORDER**

24 The Commission hereby adopts and incorporates herein the above findings of fact,
25 conclusions of law, and based thereon hereby imposes a sixty (60) day suspension upon
26 Blanchard's Standard Teaching License as follows:

27 Tammy Rae Blanchard's Standard Teaching License is hereby suspended for sixty
28 (60) days following the adoption of this order.

1 Furthermore, the Commission imposes a four (4) year probation upon Blanchard
2 to commence the date of adoption of this order and subject to the following terms
3 and conditions of probation:


- 4 1. Blanchard will submit documentation that she has undergone an evaluation
5 by a drug/alcohol addiction professional acceptable to the Commission. This
6 evaluator shall provide a written evaluation report to the Commission.
7 Blanchard shall, at her own initiative and expense, comply with treatment
8 and/or counseling recommended by the individual who completed the
9 evaluation described above. Blanchard shall authorize and sign any consent
10 forms necessary for the treatment provider or counselor to furnish records to
11 or discuss Blanchard's treatment with the Commission.
- 12 2. Quarterly, Blanchard will submit documentation that she has complied with
13 all treatment protocols recommended by her pain management specialist. If
14 Blanchard and her doctor determine that she no longer needs the
15 comprehensive pain management care currently provided by Meridian Pain
16 Center, she will notify the Commission of that change and will request that
17 her primary care doctor provide the Commission with semi-annual (generally
18 every six months) reports documenting any ongoing treatment for pain.
- 19 3. Blanchard shall comply with the Standards for Competent and Ethical
20 Performance of Oregon Educators under Oregon Administrative Rules
21 Chapter 584, Division 020.

22 Violation of any term or condition of probation shall constitute an independent basis for
23 the Commission to revoke Blanchard's teaching license or otherwise impose discipline,
24 after first providing Blanchard with notice and opportunity for hearing

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26 Issued and dated this 30th day of April, 2012.

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

29 By 
30 Victoria Chamberlain, Executive Director
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