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

In the Matter of the )  
Teaching License of ) STIPULATION OF FACTS  
JOHN MICHAEL HANKS ) ORDER OF REPRIMAND  
) AND PROBATION

7 On or about March 22, 2002, the Teacher Standards and Practices Commission  
8 (Commission) received an Application for Educator License C-1 Form from John  
9 Michael Hanks (Hanks) requesting an Initial Teaching License. Mr. Hanks responded  
10 appropriately to character questions and provided court documents. On April 24, 2002,  
11 the Commission issued a Notice of Opportunity for Hearing to Mr. Hanks in which the  
12 Commission denied Mr. Hank's application for a Initial Teaching License based upon  
13 ORS 342.175. Mr. Hanks requested a hearing.

The Commission and Mr. Hanks have now reviewed the matters alleged and  
15 agree that their respective interests, together with the public interest, are best served by  
16 a stipulation to certain facts, the imposition of a Public Reprimand and a four (4) year  
17 probation. This Order sets forth the facts upon which the parties have agreed and the  
18 sanction to be imposed. In entering into this stipulation, Mr. Hanks waives the right to a  
19 hearing to contest the findings of fact, conclusion of law and order set forth below.

**STIPULATION OF FACTS**

20  
21 1. The Commission issued Mr. Hanks a Transitional Teacher License on June  
22 10, 1999, with an Endorsement in Communication Disorders. This license expired on  
23 June 10, 2002.

24 2. Mr. Hanks is employed by Salem-Keizer School District as a  
Speech/Language Clinician.

1           3. On or about November 9, 1996, Mr. Hanks operated a motor vehicle while  
2 under the influence of alcohol and attempted to elude a police officer in an effort to  
3 avoid arrest. On or about May 13, 1997, Mr. Hanks was convicted for the crime of  
4 Attempt to Elude a Police Officer (ORS 811.540) and granted Diversion for DUII in  
5 Clackamas County Circuit Court.

6           4. Mr. Hanks completed an alcohol diversion program at the Mulliken Medical  
7 Center in 1998 and reported this information to the Commission in 1999.

8           5. On January 7, 1999, while operating a motor vehicle Mr. Hanks struck a  
9 parked vehicle in a lot in Woodburn, Oregon. On January 8, 1999, Mr. Hanks  
10 committed the crime of Initiating a False Report by making a false 911 report indicating  
11 that he had been robbed of valuables and kidnapped. He was also cited for Failure to  
12 Perform the Duties of a Driver-Hit and Run, regarding property damage to a vehicle. On  
13 February 28, 2000, Mr. Hanks pled "no contest" and was convicted of the crime of  
14 Criminal Mischief II (ORS 164.354) in Marion County Circuit Court. The charges of  
15 Failure to Perform Duties of a Driver and Initiating a False Report were dismissed. The  
16 Court sentenced Mr. Hanks to 24 months probation; fined him \$360.00; required him to  
17 complete 96 hours of community service; and pay restitution to the owner of the vehicle.  
18 Special conditions of the order indicate that Mr. Hanks may not enter a bar, tavern or  
19 casino during the term of probation.

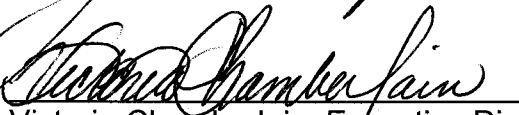
20           6. Mr. Hanks entered a Serenity Lane residential alcohol treatment program on  
21 January 12, 2000. He was discharged on January 25, 2000. At the request of the  
22 Commission, Mr. Hanks participated in a chemical dependency assessment on July 9,  
23 2002. The assessment confirmed that Mr. Hanks is currently in recovery.

1 This stipulation is contingent upon approval and adoption of the Order by the  
2 Commission. If the Commission does not adopt this Order, neither Mr. Hanks nor the  
3 Commission are bound by these Stipulations and Mr. Hanks retains all rights to a  
4 hearing on the allegations.

5 IT IS SO STIPULATED:

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7  
8 John Michael Hanks

09/25/02  
Date

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10  
11 Victoria Chamberlain, Executive Director  
12 Teacher Standards and Practices Commission

9-27-02  
Date

13 **CONCLUSION OF LAW**

14 John Michael Hank's convictions and criminal conduct in the absence of a  
15 conviction constitute Gross Unfitness in violation of OAR 584-020-0040(5)(c) and (e).  
16 The Commission's authority to impose discipline in this matter is based upon ORS  
17 342.175.

18 **ORDER**

19 The Commission adopts the above Findings of Fact and imposes a Public  
20 Reprimand on Mr. Hanks. This Order shall serve as the Public Reprimand. The  
21 Commission authorizes the issuance of an Initial Teaching License subject to all terms  
22 and conditions.

23 Furthermore, the Commission imposes a four (4) year probation upon Mr. Hanks  
24 to commence the date of issuance of said license conditions and subject to the following  
25 special terms of probation:

1. Mr. Hanks shall conduct his self as a law-abiding citizen;

1           2. Mr. Hanks shall report in writing within ten days to the Executive Director of  
2 the Commission any arrest or citation for any felony, misdemeanor, major traffic  
3 violation;

4           3. Mr. Hanks shall continue to maintain his sobriety and abstain from  
5 consumption of alcohol; and

6           4. Mr. Hanks shall comply with the Standards for Competent and Ethical  
7 Performance of Oregon Educators under OAR 584, Division 020.

8           Violation of any of the terms of probation shall constitute an independent basis  
9 for the Commission to revoke Mr. Hanks' teaching license or otherwise impose  
10 discipline, after first providing Mr. Hanks with notice and opportunity for hearing.

11 IT IS SO ORDERED this 11 day of October 2002.

12           TEACHER STANDARDS AND PRACTICES COMMISSION

13  
14 By:   
15 Victoria Chamberlain, Executive Director

16  
17 APPROVED AS TO FORM

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21 Thomas K. Doyle, OSB #97251  
Attorney for John Michael Hanks

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