

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

In the Matter of the)	STIPULATION OF FACTS,
Teaching License of)	ORDER OF SUSPENSION
LORNA HAYDEN)	AND PROBATION
)	

On April 13, 1999, the Commission received a report of misconduct regarding Hayden's behavior from Brian Metke, Superintendent of Glendale School District. On or about May 20, 1999, Hayden completed her application for license renewal.

On May 28, 1999, the Commission notified Hayden that based upon her recent work history, and reports of alleged inappropriate comments to students and staff of Glendale School District that Hayden lacked fitness to serve as an educator and denied her application for licensure. On May 28, 1999, by and through her attorney, Barbara Diamond, Hayden requested a hearing on the denial of renewal.

After review of the matters alleged, Hayden and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts and the imposition of a 5-month suspension of Hayden's right to apply for a Teaching License. The Commission will impose a period of four (4) years probation upon reinstatement of her teaching license. This Order sets forth the facts upon which the parties have agreed and the sanction to be imposed. In entering into this stipulation, Hayden waives the right to a hearing to contest the findings of fact, conclusion of law and order set forth below. Hayden understands that the probation and suspension will be subject to specific conditions.

STIPULATION OF FACTS

1. Hayden's Standard Teaching License expired on January 22, 1999. There are no previous complaints on file with the Commission for this educator.
2. The licensure file for Hayden indicates that on her 1981 C-1 Application for Renewal she reported a conviction for Driving Under the Influence of Intoxicants (DUII) on May 13, 1981 in Josephine County District Court. The Commission took no disciplinary action.
3. On August 28, 1998 Hayden was convicted for Driving Under the Influence of Intoxicants (DUII) in Douglas County Circuit Court. The Court sentenced Hayden to serve one weekend in the county jail, required her to submit to an alcohol evaluation and complete an alcohol treatment program within one year at her own expense.
4. Hayden completed the court ordered treatment program on or about January 26, 2000.
5. During the 1998-1999 school year, there were a number of complaints about Hayden's behavior as an educator both on school grounds and off school grounds wherein Hayden appeared to be under the influence of alcohol. These complaints were found to be true in Fair Dismissal case 99-4. There was no allegation that Hayden was under the influence of alcohol while in the classroom or supervising children.

Hayden enters into this Stipulation of Facts with the knowledge that the Commission will suspend her right to apply for an Oregon Teaching License for a

period of 5 months and upon reinstatement of the license shall place her on probation for a period of four (4) years. This Stipulation is contingent upon approval and adoption of the Order by the full Commission. If the Commission does not adopt this Order, neither Hayden nor the Commission are bound by these stipulations, and Hayden retains the right to a hearing on the allegations.

IT IS SO STIPULATED:

Lorna Hayden
Lorna Hayden

7/30/02
Date

David V. Myton
David V. Myton, Executive Director
Teacher Standards and Practices Commission

9/2/02
Date

CONCLUSIONS OF LAW

Hayden's actions, as described in paragraphs 2-5 above, are in violation of ORS 342.175, OAR 584-020-0040(3)(a) and 584-020-0040(5)(c), Gross Unfitness, because her convictions for driving under the influence of alcohol and being on school grounds while under the influence of alcohol rendered Hayden unfit to hold a license.

Hayden's actions as described in paragraph 5 above are also in violation of OAR 584-020-0040(4)(d) and (o), Gross Neglect of Duty, and OAR 584-020-0040(5)(c), Gross Unfitness, because she was found to have engaged in ~~violent~~ ^{inappropriate} and ~~threatening~~ behavior and failed to respect and obey the law.

gmc
SH inappropriate
BS
Myton

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ORDER

The Commission adopts the above finding of fact and suspends Hayden's right to apply for an Oregon Teaching License for a period of 5 months commencing on August 2, 2002. At the end of the suspension period, Hayden's teaching license shall be reinstated upon application as provided by OAR 584-050-0015.

Hayden will be placed on four (4) years probation, commencing upon reinstatement of her license subject to the following specific conditions:

- a) Hayden will conduct herself as a law-abiding citizen;
- b) Hayden shall report in writing within ten days to the Executive Director of the Commission any arrest or citation for any felony, misdemeanor, major traffic violation;
- c) Hayden shall comply with the Standards for Competent and Ethical Performance of Oregon Educators under OAR 584, Division 20.

Violation of the terms of this probation may constitute an independent basis for the Commission to impose discipline, up to and including revocation of Hayden's teaching license subject to Hayden's right to a hearing on the issue of whether she violated probation.

Dated this 11 day of ^{October}~~August~~, 2002.

TEACHER STANDARDS AND PRACTICES COMMISSION

By *Victoria Chamberlain*
Executive Director

Approved as to form:

Barbara J. Diamond
Barbara J. Diamond, OSB# 85039
Attorney for Lorna Hayden

Gary Cordy
Gary Cordy, AAG OSB #78118