

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

In the Matter of the) STIPULATION OF FACTS
Teaching License of) AND ORDER
LYNNDA ANNE VARUSKA) OF PROBATION
)

On February 19, 1996, Lynnda Varuska submitted an application for renewal of her Oregon Basic Teaching License. Varuska answered "no " to all character questions, but on February 20, she informed the Commission that after mailing her application she had been arrested for shoplifting a Meier and Frank at Washington Square and charged with Theft II. On May 17, 1996 TSPC considered the materials submitted by Varuska and authorized the Executive Secretary to propose a Stipulation of Facts and Order of Probation as a resolution of this case.

STIPULATION OF FACTS

It was determined that the stipulation of the following facts is in the best interest of Lynnda Anne Varuska, the Commission, and the public.

1. Lynnda Anne Varuska holds a Basic Teaching License with chemistry, math and handicapped learner endorsements. The license was valid from May 6, 1992 to March 3, 1996.
2. On February 19, 1996, Varuska was issued a citation to appear in Washington County District Court on charges of attempted shoplifting. Varuska was charged with Theft II for shoplifting 14 items of cosmetics, women's clothing, and accessories valued at \$592.98.
3. During questioning by store security personnel on February 19, 1996, Varuska admitted to returning for credit on her Meier and Frank account, merchandise previously shoplifted, but she was not charged with any criminal offense on incidents prior to February 19, 1996.
4. On May 7, 1996, Varuska plead guilty to charges of Theft II, a Misdemeanor. She was placed on two years bench probation and required to be a law abiding citizen and pay fines and assessments of \$278. The judge directed Varuska to, "treat yourself correctly" but did not require counseling, "Theft Talk," or community service.

In entering this Stipulation Lynnda Anne Varuska understands that the Commission will place her on probation for a period of four years from the date of the order. This Stipulation and proposed Order are contingent upon approval by Lynnda Anne Varuska and the full Commission. It is understood that the statements contained in this Stipulation may not be used by either party for any reason if the Commission or Lynnda Anne Varuska fail to approve this Stipulation and Proposed Order.

1 IT IS SO STIPULATED:

3 Lynnda Anne Varuska
Lynnda Anne Varuska

7/31/96
Date

4 David V. Myton
5 David V. Myton, Executive Secretary
6 Teacher Standards and Practices Commission

6/6/96
Date

7 OPINION

8 By committing the act of Theft II Lynnda Anne Varuska raised serious concerns about
9 her fitness to serve as an educator. Under ORS 342.175 and OAR 584, Division 20,
10 the Commission may suspend or revoke the license of an educator who was convicted
11 of a crime when such crime has a bearing on the person's ability to fulfill the
12 responsibilities of a licensed position. Varuska's position as a teacher in the
13 transition school at McMinnville High School places her in contact with adolescents
14 who are at-risk of dropping out of school or who have criminal and/or behavioral
15 records which preclude their participation in the regular high school program.
16 Parents and the public expect all educators to serve as good role models as law
17 abiding citizens and this is especially true for educators working with students who
18 are very vulnerable.

19 ULTIMATE FINDINGS OF FACT

20 On May 7, 1996, Lynnda Anne Varuska plead guilty to the charge of Theft II in
21 Washington County District Court.

22 CONCLUSIONS OF LAW

23 ORS 342.175 authorizes Teacher Standards and Practices Commission to impose
24 disciplinary sanctions when an educator is convicted for a crime. ORS 670.280
25 requires the Commission to consider the relationship of the conviction to fitness to
26 serve as an educator.

27 ORDER

28 The Teacher Standards and Practices Commission places Lynnda Anne Varuska on
29 probation for a period of four years for conviction of Theft II. During this probation
30 Varuska shall conduct herself as a law abiding citizen.

31 Dated this 27th day of September, 1996.

32 TEACHER STANDARDS AND PRACTICES COMMISSION

33 By: David V. Myton
34 David V. Myton, Executive Secretary

35 DVM/cs

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CERTIFICATE OF MAILING

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I hereby certify that I served the foregoing order by mailing a true copy thereof certified by me as such by U.S. Certified Mail with Return Receipt Requested to attorney for Lynnnda Anne Varuska:

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SUSAN BOYD
221 SE COWLS STREET
MC MINNVILLE OR 97128-6007

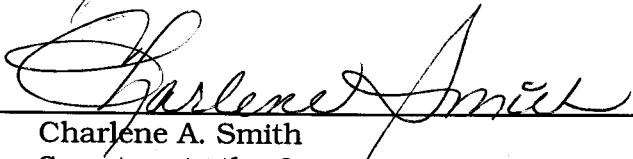
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Dated this 27th day of Sept., 1996.

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By: 
Charlene A. Smith
Secretary to the Commission

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