1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
4 5 6 7 8	In the Matter of the) DEFAULT ORDER OF Educator License of) REVOCATION OF SCOTT W. HUTCHINS) LICENSURE
9	On March 29, 2021, the Teacher Standards and Practices Commission
10	(Commission) issued a Notice of Opportunity for Hearing to Scott W. Hutchins,
11	(Hutchins) in which the Commission charged him with Gross Neglect of Duty and /or
12	Gross Unfitness. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail
13	Receipt 7019 0700 0002 0914 3461 to the address on file with the Commission. The
14	Notice designated the Commission file as the record for purposes of proving a prima
15	facie case. The Certified Mail receipt was returned to the Commission signed. The
16	regular first class mail was not returned to the Commission, and assumed delivered. The
17	Notice of Opportunity of Hearing, dated May 21, 2020, and signed by Anthony Rosilez,
18	Executive Director, stated:
19 20 21 22 23 24 25 26 27 28 29 30 31 32	"IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING, WITHDRAW YOUR REQUEST FOR HEARING, OR IF YOU FAIL TO APPEAR AT A HEARING, OR NOTIFY THE COMMISSION THAT YOU WILL NOT APPEAR AT HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE." On May 11, 2021, TSPC Investigative staff sent Hutchins a final email regarding a settlement, and sent a deadline for Hutchins to respond before 5PM on May 21, 2021. The email indicated that failure to respond would result in the case moving into default. As of May 24, 2021 TSPC received no response from Hutchins. The Commission, therefore, finds Hutchins to be in default and enters the following findings of fact,
34 25	conclusions of law, and final order, based on the files and records of the Commission
35 26	concerning this matter.
36 37	FINDING OF FACT 1) The Commission has licensed Scott Hutchins (Hutchins) since May 12, 1000.
31 38	1) The Commission has licensed Scott Hutchins (Hutchins) since May 12, 1999. Hutchins holds a Substitute Teaching License, with endorsements in Substitute
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(PK-12), Health Education (HS), and Physical Education (ML/HS), valid from January 22, 2020, through February 3, 2023. During all relevant times, Hutchins was employed by the Reynolds School District (RSD).

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2) On April 19, 2017, the Commission received a School District Misconduct Report indicating Hutchins may have committed acts which constitute gross neglect of duty and / or gross unfitness. RSD reported that on April 4, 2017, Hutchins reported for work at Reynolds Middle School under the influence of alcohol.

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31 32 3) Investigation determined that on April 4, 2017, Hutchins was under the influence of alcohol while at work at the Reynolds Middle School. Staff reported Hutchins having slurred and slow speech, difficulty communicating, and having trouble standing. Additionally, staff reported that they could smell alcohol on Hutchins' breath and that he was incapable of properly managing his classes. School administration investigated the staff observations of Hutchins' behavior and instructed him to complete a urinalysis, per district policy. It was reported that Hutchins refused this directive and left campus alone in his own vehicle. Law enforcement was notified that Hutchins was operating a vehicle while under the influence; however, police were unable to locate him. During the police investigation, it was determined that Hutchins had a suspended license, and the Gresham Police Department issued Hutchins a \$1500 citation for Driving While Suspended. Hutchins' license was suspended due to prior Driving Under the Influence (DUI) convictions in Oregon. On April 13, 2017, Hutchins and the district entered into a Last Chance Agreement with conditions that he provide confirmation that he was engaged with drug and alcohol treatment, as well as requirements that he provide random urinalysis tests to the district. On May 25, 2017, Hutchins submitted his resignation to the district. TSPC interviewed Hutchins regarding this matter on October 20, 2020, and on November 18, 2020. During those interviews, Hutchins indicated that he never drank at work, or had alcohol in his possession at work or on school grounds. Hutchins also indicated that there were times he showed up to work feeling the effects of alcohol. When asked how many times Hutchins had come to work intoxicated over a period of

1	one year, he reported "less than five times." When asked specifically about the
2	events on April 4, 2017, Hutchins indicated that he doesn't clearly remember the
3	events of that day. Hutchins admitted that he likely didn't remember because he
4	was intoxicated the night before. TSPC staff reviewed Hutchins' criminal history
5	and discovered the following DUI convictions:
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7	• Arrest date: 6/23/16
8	Tillamook County
9	Convicted: 8/15/16
10	Driving Under the Influence of Intoxicants
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12	• Arrest date: 8/2/17
13	Clackamas County
14	Convicted: 3/12/20
15	Driving Under the Influence of Intoxicants
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17	• Arrest date: 8/31/17
18	City of Salem
19	Convicted: 7/1/19
20	Driving Under the Influence of Intoxicants, Reckless Driving, Failure to
21	Present License
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23	• Arrest date: 9/9/17
24	Polk County
25	Convicted: 10/17/2017
26	Driving Under the Influence of Intoxicants
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28	When asked about these convictions, Hutchins reported that he was going
29	through a very "dark" time in his life, and had gone through a divorce. Hutchins
30	reported that he had completed inpatient drug and alcohol treatment, and was
31	doing well on probation.

1	CONCLUSIONS OF LAW
2	The conduct described in sections two (2) and (3) above constitutes gross neglect
3	of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates
4	OAR 584-020-0010(5) (Use professional judgment), OAR 584-020-0025(2)(e) (Using
5	district lawful and reasonable rules and regulations), and OAR 584-020-0040(4)(g)
6	(Appearing on duty or at any district-sponsored activity while under the influence of
7	alcohol or any controlled substance).
8 9	The Commission's authority to impose discipline in this matter is based
10	upon ORS 342.175.
11	FINAL ORDER
12	The Commission hereby revokes Scott Hutchins' Oregon educator license.
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14	IT IS SO ORDERED THIS _// day of June, 2021.
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16	TEACHER STANDARDS AND PRACTICES COMMISSION
	By:
17 18	By:
19	DI. Anthony Rosnez, Executive Director
20	NOTICE OF APPEAL OR RIGHTS
21 22	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
23	BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE
24	SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF
25	ADC 100 400 TO THE ADECAN CAUDT OF ADDEALC