

1 Principal, reported that Regan's breath smelled of alcohol. When questioned, Regan denied
2 drinking alcohol, stating he had a tooth issue and had used mouthwash. ESS was contacted
3 and requested that Regan submit to an alcohol / drug-screening test.
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5 Regan was escorted to a testing facility where he was given a breathalyzer test to determine
6 his blood alcohol content (BAC) at 2:55 PM. Regan blew a .040 BAC. Regan was given a
7 second test at 3:12 PM and blew a .034 BAC. After the test results came back, Regan
8 admitted to drinking alcohol during the early morning hours before reporting for work.
9 Based on test results, ESS terminated Regan's employment. RSD and ESS administrators all
10 reported that Regan was polite and cooperative throughout the process. A check of Regan's
11 extensive prior employment history indicated no record of any related or similar conduct.

12 CONCLUSIONS OF LAW

13 Regan's conduct described in section two (2) above constitutes gross neglect of duty in
14 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5)
15 (*Use professional judgment*), OAR 584-020-0025(2)(e) (*Using district lawful and reasonable rules*
16 *and regulations*), and OAR 584-020-0040(4)(g) (*Appearing on duty or at any district-sponsored*
17 *activity while under the influence of alcohol, marijuana, or any controlled substance*).
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19 The Commission's authority to impose discipline in this matter is based upon ORS 342.175.
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21 FINAL ORDER

22
23 The Commission hereby suspends Michael Regan's licensure for a period of thirty (30) days,
24 to begin upon the date this order is signed and in effect.
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27 IT IS SO ORDERED THIS 14th day of May, 2020.

28 TEACHER STANDARDS AND PRACTICES COMMISSION

29 By: Anthony J. Rosilez
30 Dr. Michael Rosilez, Executive Director
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NOTICE OF APPEAL OR RIGHTS

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3 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE
4 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF
5 THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO
6 THE OREGON COURT OF APPEALS.