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Terrilynn Hargas (43892)  
Discipline Order

1                    BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION

2                                    OF THE STATE OF OREGON

3  In the Matter of the                    )  
4  Teaching License of                   )  
5  TERRILYNN HARGAS                   )  STIPULATION OF FACTS,  
  ORDER OF SUSPENSION  
  AND PROBATION

6            On or about December 4, 2008, and April 2, 2009, the Teacher Standards and Practices  
7  Commission (Commission) received reports indicating that Ms. Hargas may have engaged in  
8  conduct constituting gross neglect of duty.

9            The Commission charged Ms. Hargas with gross neglect of duty and issued a Notice of  
10  Opportunity for Hearing on March 24, 2010. After review of the matters alleged, Ms. Hargas and  
11  the Commission agree that their respective interests, together with the public interest, are best  
12  served by a stipulation to certain facts, the imposition of a suspension of her teaching license, and  
13  probation.

14           By signing below, Ms. Hargas acknowledges, understands, stipulates, and agrees to the  
15  following: (i) she has been fully advised of his rights to notice and a hearing to contest the findings  
16  of fact, conclusions of law, and order set forth below, and fully and finally waives all such rights and  
17  any rights to appeal or otherwise challenge this Stipulation of Facts, and Order of Suspension  
18  (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and  
19  disclosed to the public by the Commission upon request; (iii) this Stipulation and Final Order is  
20  contingent upon and subject to approval and adoption by the Commission. If the Commission  
21  does not approve and adopt this Stipulation and Final Order, then neither Ms. Hargas nor the  
22  Commission are bound by the terms herein; (iv) she has fully read this Stipulation and Final Order,  
23  and understands it completely; (v) she voluntarily, without any force or duress, enters into this  
24  Stipulation and Final Order and consents to issuance and entry of the Stipulated Final Order  
25  below; (vi) she states that no promises or representations have been made to induce him to sign  
26  this Stipulation and Final Order; and (vii) she has consulted with an attorney regarding this  
27  Stipulation and Final Order and has been fully advised with regard to his rights thereto, or waives

1 any and all rights to consult with an attorney prior to entering into this Stipulation and Final Order  
2 and issuance and entry of the Stipulated Final Order below.

3 **STIPULATION OF FACTS**

4 1. The Commission has licensed Ms. Hargas since June 13, 2000. Ms. Hargas currently  
5 holds an Initial II Teaching License with endorsements in Multiple Subjects MIDLVL, and Multiple  
6 Subjects Self Contained ELE, issued May 15, 2008 and was valid through May 20, 2011. She was  
7 employed by the Jefferson County School District and High Desert Educational Service District as  
8 a substitute teacher at all relevant times.

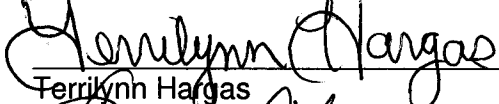
9 2. On November 13, 2008, while substituting at Madras Elementary School, in the  
10 Jefferson County School District, several staff members detected the odor of alcohol on Ms.  
11 Hargas and observed behavior consistent with being under the influence of alcohol.

12 3. On March 20, 2009, Ms. Hargas reported for a substitute teaching assignment at  
13 Marshall High School under assignment from the High Desert ESD. Staff at the school detected  
14 the odor of alcohol on Ms. Hargas and she agreed to submit to a breathalyzer. Ms. Hargas blood  
15 alcohol level indicated that she was intoxicated when she reported for duty.


16 4. On February 17, 2009, a Commission investigator spoke with Ms. Hargas to schedule  
17 an interview regarding the November 13, 2008 incident. Ms Hargas said she was moving and  
18 provided a new phone number to the investigator. The investigator called the number on three  
19 occasions in April and May, 2009 and left messages for Ms. Hargas to contact him. She did not  
20 respond.

21 5. Ms. Hargas has received alcohol treatment and continues to follow her treatment plan.

22 IT IS SO STIPULATED:

23   
24 Terrilynn Hargas

11.03.2011  
Date

25   
26 Victoria Chamberlain, Executive Director  
27 Teacher Standards and Practices Commission

11-17-2011  
Date

1 **CONCLUSION OF LAW**

2 1. By engaging in the conduct in paragraphs 2 and 3 above, Terrilynn Hargas engaged in gross  
3 neglect of duty in violation of ORS 342.175, OAR 584-020-0040(4)(g) (*Appearing on duty or at any district-*  
4 *sponsored activity while under the influence of alcohol or any controlled substance*), OAR 584-020-  
5 0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*).

6 2. By engaging in the conduct in paragraph 4 above, Terrilynn Hargas violated ORS  
7 342.175(b) and OAR 584-020-0040(4)(p) (*Subject to the exercise of any legal right or privilege,*  
8 *failure or refusal by an educator under investigation to respond to requests for information, to*  
9 *furnish documents or to participate in interviews with a Commission representative relating to a*  
10 *Commission investigation*).

11 3. The Commission's authority to impose discipline in this matter is based upon ORS  
12 342.175.

13 **ORDER**

14 The Commission adopts and incorporates the above findings of facts and conclusions of  
15 law and based on the foregoing, hereby orders that Terrilynn Hargas' Initial II Teaching License is  
16 suspended for six months from the date this order is signed. Prior to reinstatement of her license,  
17 Ms. Hargas will provide to the Commission a satisfactory alcohol assessment prepared by a  
18 licensed provider. Ms. Hargas will be placed on probation for four years commencing at the  
19 conclusion of her six month suspension, subject to the following conditions:

20 1. Ms. Hargas will not use alcohol during her period of probation.

21 2. Ms. Hargas will provide annual verification throughout her probation that she is actively  
22 engaged in a sobriety program.

23 3. Ms. Hargas shall comply with the Standards for Competent and Ethical Performance of  
24 Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020.

1 Violation of any term or condition of probation shall constitute an independent basis for the  
2 Commission to revoke Ms. Hargas' teaching license, revoke her right to apply for a license, or  
3 otherwise impose discipline, after first providing Ms. Hargas with notice and opportunity for hearing.

4 IT IS SO ORDERED this 17<sup>th</sup> day of November, 2011.

5 TEACHER STANDARDS AND PRACTICES COMMISSION

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By:   
Victoria Chamberlain, Executive Director