1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
5 6 7	In the Matter of the DEFAULT ORDER OF Administrative License of LICENSE SUSPENSION TERRY JOHN KNEISLER)
8	On June 6, 2011, the Teacher Standards and Practices Commission (Commission)
9	issued a Notice of Opportunity for Hearing to Terry John Kneisler (Kneisler) in which
10	the Commission charged him with Gross Neglect of Duty pursuant to ORS
11	342.175(1)(b); OAR 584-020-0040(4)(a); OAR 584-020-0040(4)(n) as it incorporates
12	OAR 584-020-0010(5) and OAR 584-020-0025(2)(d);and OAR 584-020-0040(4)(o) as
13	it incorporates OAR 584-020-0035(3)(a). The Notice was sent via U.S. First Class Mail
14	and U.S. Certified Mail Receipt 7010 0290 0001 6831 3582 to the address on file with
15	the Commission. The Certified Mail was signed for by Kneisler on June 10, 2011. The
16	Notice of Opportunity of Hearing, dated June 6, 2010, and signed by Victoria
17	Chamberlain, Executive Director, stated:
18 19 20 21 22 23 24 25	"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 OR IF YOU FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."
26	Kneisler did not request a hearing. The Commission, therefore, finds Kneisler to be in
27	default and enters the following findings of fact, conclusions of law and order, based on
28	the files and records of the Commission concerning this matter.
29	FINDINGS OF FACT
30	1. The Commission has licensed Terry John Kneisler as an administrator in Oregon
31	since August 20, 1996. Kneisler's current Standard Administrative License, with a
32	Standard Superintendent endorsement, issued on February 17, 2007, is valid until
33	February 16, 2012. During all relevant times, Kneisler was employed as
34	Superintendent of the Reynolds School District

- 2. While employed as Superintendent of the Reynolds School District, Kneisler used his 1 position to obtain reimbursements for elective medical expenses not covered by his 2 official compensation package. 3 3. Kneisler's receipt of these reimbursements resulted in the Oregon Ethics 4 Commission finding that he violated ORS 244.041, (Except as provided in 5 subsection (2) of this section, a public official may not use or attempt to use official 6 position or office to obtain financial gain or avoidance of financial detriment for 7 the public official, a relative or member of the household of the public official, or 8 any business with which the public official or a relative or member of the household 9 of the public official is associated, if the financial gain or avoidance of financial 10 detriment would not otherwise be available but for the public official's holding of 11 the official position or office), and ORS 244.041(a), (Any part of an official 12 compensation package as determined by the public body that the public official 13 14 serves), and an assessment of a civil penalty against him. 4. Kneisler incorrectly believed that he was entitled to apply for, receive and retain 15 district reimbursements for uninsured medical expenses for himself and family 16 members as part of his compensation as an administrator employed by the Reynolds 17 School District. These expenses were not contained in his written contract, but 18 19 because of district past practice, Kneisler sought reimbursement. CONCLUSIONS OF LAW 20 Terry John Kneisler's conduct described in #2 above constitutes gross neglect of 21 duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates 22 OAR 584-020-0010(5) (Use of professional judgment), OAR 584-020-0025(2)(d) 23
- Terry John Kneisler's conduct described in #2 above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates
 OAR 584-020-0010(5) (Use of professional judgment), OAR 584-020-0025(2)(d)
 (Using district and school business and financial procedures); and OAR 584-0200040(4)(a) (Knowing and substantial unauthorized use of: school name or financial credit; school materials or equipment for personal purposes; or school personnel to provide personal services unrelated to school business).

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Kneisler's conduct described in #3 and #4 above constitutes gross neglect of duty

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1	Kneisler's conduct described in #3 and #4 above constitutes gross neglect of duty
2	in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(o) as it incorporates OAR
3	584-020-0035(3)(a) (Maintain the dignity of the profession by respecting and obeying
4	the law, exemplifying personal integrity and honesty).
5	
6	The Commission's authority to impose discipline in this matter is based upon
7	ORS 342.175.
8	FINAL ORDER
9	The Commission hereby suspends the licensure of Terry John Kneisler for a
10	period of 30 days.
11	IT IS SO ORDERED THIS day of January, 2012.
12	TEACHER STANDARDS AND PRACTICES COMMISSION
13 14 15 16	By: Man belain Victoria Chamberlain, Executive Director
17 18 19	
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21	NOTICE OF APPEAL OR RIGHTS
22	MOLLAR ENVIRONDE DE CONTROL DE PROPERTO DE CONTROL DE MONTO DE LA DESCRICA DE LA DECLA DE CONTROL DECENTROL DE CONTROL DE
23	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
24	BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE
25 26	SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF
40	ORS 183.482 TO THE OREGON COURT OF APPEALS.

CERTIFICATE OF MAILING

I hereby certify that I served the foregoing notice of default order, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

Terry John Kneisler 2915 SW Pleasant View Drive Gresham, OR 97080

Dated this

_day of January, 2012.

Patricia Liddell

Investigative Assistant