



1 School as a Physical Education teacher and boys coach. On or about August 2, 2011, the Elkton  
2 Charter School informed the Commission Investigator that Trout was no longer employed at the  
3 Charter School. Elkton officials explained that they had incorrectly believed the ODE fingerprint  
4 clearance they had provided was adequate to fulfill the fingerprint requirements of the Commission.

5 **CONCLUSIONS OF LAW**

6 Trout's conduct described above, constitutes gross neglect of duty in violation of ORS  
7 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use*  
8 *professional judgment*); OAR 584-020-0040(4)(r) (*Knowingly working without a license*);  
9 OAR 584-050-0006(3)(e) (*The applicant refuses to consent to criminal records checks or*  
10 *refuses to be fingerprinted upon request*); and OAR 584-050-0006(3)(f) (*The applicant has*  
11 *served in violation of OAR 584-050-0035 Must be Licensed, Registered or Certified at All*  
12 *Times While Employed*).


13 The Commission's authority to impose discipline in this matter is based upon ORS  
14 342.175.

15 **FINAL ORDER**

16 The Commission hereby suspends Gary Alan Trout's right to apply for a Charter School  
17 Registration or other licensure for a period of ninety (90) days, to begin upon the date this order  
18 is signed and in effect.

19 IT IS SO ORDERED THIS 25<sup>th</sup> day of October, 2012.

20 **TEACHER STANDARDS AND PRACTICES COMMISSION**

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23 By:   
24 Victoria Chamberlain, Executive Director  
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27

28 **NOTICE OF APPEAL OR RIGHTS**

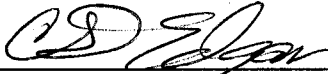
29  
30 **YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE**  
31 **OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF**  
32 **THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO**  
33 **THE OREGON COURT OF APPEALS.**

CERTIFICATE OF MAILING

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

Gary Alan Trout  
PO Box 702  
Elkton OR 97436-0702

Dated this 26<sup>th</sup> day of October, 2012.

By:   
Cristina Edgar