## BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION

|                  | OF THE STATE OF OREGON                                                                                 |                                                 |  |
|------------------|--------------------------------------------------------------------------------------------------------|-------------------------------------------------|--|
| 3<br>4<br>5<br>6 | Teaching License of                                                                                    | TIPULATION OF FACTS<br>AND<br>RDER OF PROBATION |  |
| 7                | On August 5, 2003, Gary Steven Lovos (Lovos) submitted an application for renewal of a                 |                                                 |  |
| 8                | Standard Teaching License to the Teacher Standards and Practices Commission (Commission).              |                                                 |  |
| 9                | Mr. Lovos responded affirmatively to character questions 8, and 10. Mr. Lovos provided an              |                                                 |  |
| 10               | explanation and court documents for criminal convictions for Driving Under the Influence and           |                                                 |  |
| 11               | Driving While Suspended.                                                                               |                                                 |  |
| 12               | After review of the facts in this matter, Mr. Lovos and the Executive Director agree that their        |                                                 |  |
| 13               | respective interests, together with the public interests, are best served by a stipulation to certain  |                                                 |  |
| 14               | facts and a three (3) year probation upon issuance of a teaching license.                              |                                                 |  |
| 15               | This Order sets forth the facts upon which the parties have agreed and the sanction to be              |                                                 |  |
|                  | imposed. Mr. Lovos stipulates that there are sufficient facts contained in the Commission's files      |                                                 |  |
| 17               | and records to support the findings of fact and conclusions of law set forth below. In entering into   |                                                 |  |
| 18               | this stipulation, Mr. Lovos waives the right to a hearing to contest the findings of fact, conclusions |                                                 |  |
| 19               | of law and order set forth below. Mr. Lovos enters into this agreement with the knowledge that the     |                                                 |  |
| 20               | Commission will impose a three (3) year probation with specific conditions.                            |                                                 |  |
| 21               | This stipulation is contingent upon approval and adoption of the Order by the Commission.              |                                                 |  |
| 22               | If the Commission does not adopt this Order, neither Mr. Lovos nor the Commission are bound by         |                                                 |  |
| 23               | these Stipulations and Mr. Lovos retains all rights to a hearing on the allegations.                   |                                                 |  |
| 24               | STIPULATION OF FACTS                                                                                   |                                                 |  |
| 25               | 1. On August 5, 2003, Mr. Lovos submitted an Application For Educator License Form C-1                 |                                                 |  |
| 26               | to the Commission for renewal of a Standard Teaching License. He responded affirmatively to            |                                                 |  |
| 27               | character questions 8, and 10.                                                                         |                                                 |  |
|                  | 2 Mr. Lovos serves as a substitute teacher in Washington and Clackamas counties                        |                                                 |  |

|                | $\cdot$                                                                                           |  |  |
|----------------|---------------------------------------------------------------------------------------------------|--|--|
| 1_             | 3. On July 20, 1994, Mr. Lovos was arrested for Driving Under the Influence of Intoxicants        |  |  |
|                | (DUII) in Stayton, Oregon. The Court granted Mr. Lovos a Diversion for DUII. On September 30,     |  |  |
| 3              | 1994, Mr. Lovos completed Diversion and the DUII charge was dismissed in the District Court for   |  |  |
| 4              | the State of Oregon, County of Marion. Mr. Lovos reported this matter to the Commission on an     |  |  |
| 5              | application for licensure dated July 2, 1998.                                                     |  |  |
| 6              | 4. On February 17, 2000, Mr. Lovos was convicted for Driving Under Influence of Intoxicants       |  |  |
| 7              | in the District Court for the State of Oregon, County of Marion. Mr. Lovos completed a court      |  |  |
| 8              | ordered treatment program at Pacific Alcohol and Drug Counseling.                                 |  |  |
| 9              | 5. On January 29, 2001, Mr. Lovos was convicted for Driving While Suspended, a                    |  |  |
| 10             | misdemeanor crime, in the Circuit Court of the State of Oregon for Washington County.             |  |  |
| 11             | IT IS SO STIPULATED:                                                                              |  |  |
| 12<br>13<br>14 | Gary Steyn Lovos Date Date                                                                        |  |  |
|                | Victoria Chamberlain, Executive Director Date                                                     |  |  |
| 17             | CONCLUSION OF LAW                                                                                 |  |  |
| 18             | Mr. Lovos's criminal convictions and criminal conduct constitute Gross Unfitness as defined       |  |  |
| 19             | in OAR 584-020-0040(5)(c) and OAR 584-020-0040(5)(e). Criminal convictions and criminal           |  |  |
| 20             | conduct, even in the absence of conviction, may be used as evidence to establish an applicant's   |  |  |
| 21             | lack of fitness to serve as an educator pursuant to OAR 584-050-0006 and Gross Unfitness as       |  |  |
| 22             | defined in OAR 584-020-0040(5). The Commission's authority to impose discipline in this matter is |  |  |
| 23             | based upon ORS 342.175.                                                                           |  |  |
| 24             |                                                                                                   |  |  |
| 25             | ///                                                                                               |  |  |
| 26             | <i>111</i>                                                                                        |  |  |

24

25

26

The Commission hereby adopts the above Stipulation of Facts and authorizes the issuance 3 of a Standard Teaching License to Mr. Lovos subject to all standard terms and conditions. 4 Furthermore, the Commission imposes a three (3) year probation upon Mr. Lovos to 5 commence the date of issuance of said license subject to the following special terms and 6 conditions of probation: 7 1. Mr. Lovos shall, at his own initiative and expense, continue to obtain treatment 8 for his alcohol dependency as recommended by his alcohol treatment provider and abstain from 9 the consumption of alcohol. 10 2. During the period of his probation, Mr. Lovos shall submit to the Executive Director of 11 the Commission reports of his compliance with the treatment plan. Mr. Lovos shall provide these 12 reports every six (6) months during his probation, on or before: July 9, 2004; January 9, 2005; July 13 9, 2005; January 9, 2006; July 9, 2006; January 9, 2007; July 9, 2007; and January 9, 2008. 3. Mr. Lovos shall report in writing within ten (10) days, to the Executive Director of the 15 Commission, any arrest (or citation) for any felony, misdemeanor, major traffic violation or violation 16 of criminal probation; and 17 4. Mr. Lovos shall comply with all Standards for Competent and Ethical Performance under 18 Oregon Administrative Rules Chapter 584, Division 020. 19 Violation of any of the terms of probation shall constitute an independent basis for the 20 Commission to revoke Mr. Lovos's teaching license or otherwise impose discipline, after first 21 providing Mr. Lovos with notice and opportunity for hearing. IT IS SO ORDERED this 15 th day of January 2004. 22 23 TEACHER STANDARDS AND PRACTICES COMMISSION

> By: January January Aun Victoria Chamberlain, Executive Director

[111003]