



1 educator, there are no prior complaints regarding Mr. Linman on file with the Commission, any  
2 other state licensing agency, or any educational employer.

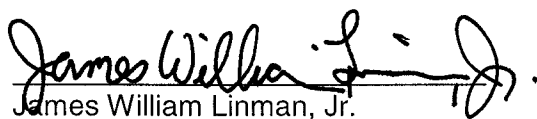
3 4. On March 11, 2004, Mr. Linman appeared in his classroom under the influence of  
4 alcohol. On March 16, 2004 Mr. Linman entered into a Last Chance Agreement with the District  
5 under which he agreed to obtain a chemical dependency assessment and cooperate with  
6 recommended treatment.

7 5. On March 25, 2004, Mr. Linman sought an assessment for alcohol dependency  
8 and enrolled in an intensive outpatient treatment program at Kaiser Permanente N.W., Sunset  
9 Addiction Medicine Department, Portland, Oregon. He is progressing well in the program and is  
10 predicted to complete it by August 1, 2004.

11 6. Mr. Linman recognizes that he has an alcohol dependency problem and has  
12 agreed to a plan of treatment and aftercare as prescribed by his treatment provider.

13 James William Linman, Jr., enters into this Stipulation of Facts with the knowledge that  
14 the Teacher Standards and Practices Commission shall place him on probation for a period of  
15 four (4) years. This Stipulation is contingent upon approval and adoption of the Order by the full  
16 Commission. If the Commission does not adopt this Order, neither Mr. Linman nor the  
17 Commission are bound by these stipulations and Mr. Linman retains the right to a hearing on  
18 the allegations.

19 IT IS SO STIPULATED:

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21   
22 James William Linman, Jr.

6-25-04  
\_\_\_\_\_  
Date

23  
24   
25 Victoria Chamberlain, Executive Director  
26 Teacher Standards and Practices Commission

6-22-04  
\_\_\_\_\_  
Date

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**CONCLUSIONS OF LAW**

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James William Linman, Jr. violated OAR 584-020-0040(4)(g) by appearing in his classroom on March 11, 2004, while under the influence of alcohol. This misconduct constitutes Gross Neglect of Duty. The Commission's authority to impose discipline in this matter is based upon ORS 342.175.

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1 **ORDER**

2 The Commission imposes a Public Reprimand on Mr. Linman. This Stipulation of Facts,  
3 Order and Probation constitutes the Reprimand. Furthermore, the Commission imposes a four  
4 (4) year probation upon Mr. Linman subject to the following conditions.

5 The terms of probation are as follows:

6 1. Mr. Linman shall, at his own initiative and expense, continue to obtain treatment  
7 for his alcohol dependency as recommended by his alcohol treatment provider;

8 2. During the period of his probation, Mr. Linman shall submit to the Executive  
9 Director of the Commission reports of his compliance with the treatment plan. Mr. Linman shall  
10 provide these reports every six (6) months during his probation;

11 3. Mr. Linman shall comply with all Standards for Competent and Ethical  
12 Performance under Oregon Administrative Rules Chapter 584, Division 020.

13 If Mr. Linman does not comply with his treatment plan based on the reports of his  
14 treatment provider or as otherwise determined by the Executive Director he shall be in violation  
15 of the terms of this probation. Violation of the terms of this probation may constitute an  
16 independent basis for the Commission to impose discipline, up to and including revocation of  
17 Mr. Linman's teaching license subject to Mr. Linman's right to a hearing on the issue of whether  
18 he violated probation.

19 IT IS SO ORDERED this 29<sup>th</sup> day of July, 2004

20 TEACHER STANDARDS AND PRACTICES COMMISSION

21  
22 By Victoria Chamberlain  
23 Victoria Chamberlain, Executive Director

24 Approved as to form:

25 Elizabeth A. Joffe  
26 Elizabeth A. Joffe  
Attorney for James William Linman, Jr.

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