	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION				
2	OF THE STATE OF OREGON				
3 4 5	In the Matter of the Teaching License of James William Linma	an, Jr.)))	STIPULATION OF FACTS, ORDER OF REPRIMAND AND PROBATION	
6	On or about April 1, 2004, the Teacher Standards and Practices Commission				
7	(Commission) received a report from Maureen Sloane, Human Resources Counsel, Portland				
8	Public Schools indicating that James William Linman, Jr. (Linman) appeared in his classroom				
9	while under the influence of alcohol.				
10	After review of the matters alleged, Mr. Linman and the Commission agree that their				
11	respective interests, together with the public interest, are best served by a stipulation to certain				
12	facts, the imposition of a Public Reprimand and a four (4) year probation. This Order sets forth				
13	the facts upon which the parties have agreed and the sanction to be imposed. Mr. Linman				
14	stipulates that there are sufficient facts contained in the Commission's files and records to				
15	support the findings of fact and conclusions of law set forth below. In entering into this				
16	stipulation, Mr. Linman waives the right to a hearing to contest the findings of fact, conclusion of				
17	law and order set forth below. Mr. Linman understands that the probation will be subject to				
18	specific conditions.				
19		ST	TIPULATION	OF FACTS	
20	1. The C	ommission has I	licensed Jan	nes William Linman, Jr. since August 23, 1982	2.
21	Mr. Linman currently holds a Standard Teaching License valid March 3, 2004, through				
22	March 30, 2009, with a Standard Advanced Mathematics Endorsement.				
23	2. Mr. Li	nman is employe	ed by the Po	rtland Public School District as a teacher at	

Mr. Linman is employed by the Portland Public School District as a teacher at Lincoln High School. He began his employment with the District in 1983 and has been at Lincoln High School that entire time. All of his teaching evaluations have been positive.

24

25

Mr. Linman had one prior year of teaching in Oregon before coming to Portland 3. Public Schools. Before that, he taught for seven years outside of Oregon. In his 29 years as an

	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:				
20	^	·10 · f = 0 (2 5 6 4			
	11 /1	`/// .せ き \\			

21 James William Linman, Jr. Date

23 James William Linman, Jr. Date

24 James William Linman, Jr. Date

25 Victoria Chamberlain, Executive Director
Teacher Standards and Practices Commission

///

CONCLUSIONS OF LAW

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.
///

8

111

ORDER 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 Mr. Linman shall, at his own initiative and expense, continue to obtain treatment 1. 7 for his alcohol dependency as recommended by his alcohol treatment provider; 8 During the period of his probation, Mr. Linman shall submit to the Executive 2. 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 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 independent basis for the Commission to impose discipline, up to and including revocation of 16 17 Mr. Linman's teaching license subject to Mr. Linman's right to a hearing on the issue of whether 18 he violated probation. IT IS SO ORDERED this 27 day of July, 2004 19 20 TEACHER STANDARDS AND PRACTICES COMMISSION 21 22 23 Victoria Chamberlain, Executive Director 24 Approved as to form: 25 26 Elizabeth A. Joffe

[062304]

Attorney for James William Linman, Jr.