



1           3.     In the fall of 2000, Mr. Plouff's supervising principal, Jane Harrison, began  
2 receiving complaints from staff members that they smelled alcohol on Mr. Plouff's breath. In  
3 March 2001, Ms. Harrison, sent a memo to Mr. Plouff expressing concern about the complaints  
4 and recommending that Mr. Plouff seek help from an alcohol treatment provider. Mr. Plouff  
5 denied that he had a drinking problem or that he had appeared at work after consuming alcohol.

6           4.     In 2001, Mr. Plouff worked in a summer school program. There were complaints  
7 from the summer school staff about Mr. Plouff's level of cooperation and the odor of alcohol on  
8 Mr. Plouff.

9           5.     In August 2001, Tim Rochholz became principal at Kelly Middle Schools.  
10 Mr. Rochholz wrote a memo to Mr. Plouff concerning the complaints from summer school staff  
11 and putting Mr. Plouff on notice that coming to work while smelling of alcohol would not be  
12 tolerated.

13           6.     During the fall of 2001, there were additional complaints from staff who believed  
14 that Mr. Plouff smelled of alcohol. Mr. Plouff's work performance deteriorated. He was absent  
15 during 16 of the first 40 days of school. He did not maintain adequate student progress records  
16 and did not leave adequate lesson plans for a substitute teacher to follow. He also did not appear  
17 for a scheduled teacher-parent conference day, even though a significant number of his students  
18 were not achieving passing grades. On November 5, 2001, Mr. Rochholz informed Mr. Plouff in  
19 writing that a doctor's note would be required for any future absences.

20           7.     Following negotiations with the district, Mr. Plouff agreed and his attorney agreed  
21 that Mr. Plouff would submit to alcohol testing if the school had a credible report that he smelled  
22 of alcohol.

1 8. On March 1, Mr. Plouff submitted to a breath alcohol test. He tested positive with  
2 a 0.085 percent blood alcohol content.

3 9. As a result of his positive test result, Mr. Plouff was placed on a leave of absence  
4 and was admitted to an in-patient alcohol treatment program. After completion of treatment of  
5 the inpatient program, Mr. Plouff was allowed to return to work and signed a "Last Chance"  
6 Agreement with the school agreement. Part of the agreement required Mr. Plouff to abstain from  
7 the use of alcohol and continue with treatment through an alcohol treatment provider.

8 10. Mr. Plouff returned to work on April 1, 2002. On April 15, he was again tested at  
9 the school and registered a 0.012 percent blood-alcohol content. Shortly thereafter, he resigned  
10 his position as a teacher with the district.

11 11. On May 2, 2002, Mr. Plouff's treatment program issued a status report indicating  
12 that his case was being closed because he had discontinued treatment against clinical advice.

13 **CONCLUSIONS OF LAW**

14 1. ORS 342.175 authorizes the Commission to revoke the right of any person to apply  
15 for a teaching license if the person has held a license at any time within the previous five years.

16 2. Mr. Plouff appeared on duty on two separate occasions while under the influence  
17 of alcohol.

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**ORDER**

Based on the foregoing, the right of Michael Keith Plouff to apply for an Oregon Teaching License is revoked.

IT IS SO ORDERED this 15<sup>th</sup> day of January 2004.

TEACHER STANDARDS AND PRACTICES COMMISSION

  
Victoria Chamberlain, Executive Director

APPEAL RIGHTS: You are entitled to judicial review of this order in accordance with ORS Chapter 183.480. You may request judicial review by filing a petition with the Court of Appeals in Salem, Oregon within 60 days from the date of this order. Tape recordings of Administrative Hearings are retained 90 days after the date of the final order.