

1 2023. During all relevant times, Mattingly was employed by the Greater Albany
2 Public Schools (GAPS).

- 3 2. On June 4, 2018, the Commission received information from the GAPS indicating
4 Mattingly may have committed acts which constitute gross neglect of duty. The
5 district reported Mattingly was under the influence of alcohol on school grounds
6 when she reported to work on or about May 21, 2018.

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8 Investigation determined that on May 21, 2018, at approximately 8:50 AM, school
9 officials, during a conversation with Mattingly, detected the smell of alcohol
10 emanating from her person. District human resources (HR) was contacted and
11 responded to the building. In an interview with HR, Mattingly denied drinking any
12 alcohol that morning and agreed to being tested. Mattingly was tested at a local
13 health facility at approximately 11:00 AM. At that time, Mattingly took two blood
14 alcohol content (BAC) tests approximately fifteen minutes apart. The first test
15 showed Mattingly's BAC to be .058 and her second test showed Mattingly's BAC to
16 be .052. Both test results indicated Mattingly was under the influence of alcohol.

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18 Mattingly was placed on paid administrative leave and transported home.

19 On May 24, 2018, Mattingly met with district officials to discuss the issue. Mattingly
20 admitted to drinking heavily the night before, and throughout the weekend.

21 Mattingly immediately sought professional treatment and was granted a medical
22 leave of absence as part of a last chance agreement with GAPS. Mattingly has been
23 successfully participating in her recovery program and has returned to work.

24 25 **CONCLUSIONS OF LAW**

26 Christina Mattingly's conduct described above constitutes gross neglect of duty in
27 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-
28 020-0010(5) (*Use professional judgment*), OAR 584-020-0025(2)(e) (*Using district*
29 *lawful and reasonable rules and regulations*); and OAR 584-020-0040(4)(g)
30 (*Appearing on duty or at any district-sponsored activity while under the influence of*
31 *alcohol or any controlled substance*).

