

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
2 OF THE STATE OF OREGON

3 In the Matter of the) STIPULATION OF FACTS,
4 Teaching License of) ORDER OF SUSPENSION
5 CARL KWASHI REINHOLD) AND PROBATION

6 On March 20, 2003, the Teacher Standards and Practices Commission (Commission)
7 received a report from Holly Lekas, Administrator for Certificated Personnel indicating that Carl
8 Kwashi Reinhold (Reinhold) violated standards by appearing on duty under the influence of a
9 controlled substance.

10 After review of the matters alleged, Mr. Reinhold and the Commission agree that their
11 respective interests, together with the public interest, are best served by a stipulation to certain
12 facts, a ninety (90) day suspension of his teaching license and a four (4) year probation upon
13 reinstatement of said licensure.

14 This Order sets forth the facts upon which the parties have agreed and the sanction to
15 be imposed. Mr. Reinhold stipulates that there are sufficient facts contained in the
16 Commission's files and records to support the findings of fact and conclusions of law set forth
17 below. In entering into this stipulation, Mr. Reinhold waives the right to a hearing to contest the
18 findings of fact, conclusion of law and order set forth below. Mr. Reinhold enters into this
19 agreement with the knowledge that the Commission will suspend his teaching license for ninety
20 (90) days. Mr. Reinhold understands that the Commission will impose a four (4) year probation
21 with specific conditions.

22 **STIPULATION OF FACTS**

23 1. The Commission has licensed Carl Kwashi Reinhold since September 30, 1997.
24 Mr. Reinhold currently holds a Standard Teaching License, issued November 20, 2000, valid
25 through November 10, 2005, with a Standard Elementary Endorsement.

26 2. Mr. Reinhold began his employment with Beaverton School District on August 25,
1997. Mr. Reinhold resigned effective March 31, 2003.

1 3. On February 28, 2003, Mr. Reinhold's Principal at Findley Elementary School
2 requested he be tested at the Center for Occupational Health for controlled substances. The
3 test was positive for marijuana.

4 4. Mr. Reinhold admits that during his lunch hour on February 28, 2003, he smoked
5 marijuana in his vehicle.


6 5. Mr. Reinhold recognizes that he has a chemical dependency problem. Mr. Reinhold
7 completed a chemical dependency program at Kaiser Permanente NW, Department of
8 Addiction Medicine on September 15, 2003.

9 Carl Kwashi Reinhold enters into this Stipulation of Facts with the knowledge that the
10 Teacher Standards and Practices Commission shall suspend his teaching license for ninety (90)
11 days and place him on probation for a period of four (4) years. This Stipulation is contingent
12 upon approval and adoption of the Order by the full Commission. If the Commission does not
13 adopt this Order, neither Mr. Reinhold nor the Commission are bound by these stipulations and
14 Mr. Reinhold retains the right to a hearing on the allegations.

15 IT IS SO STIPULATED:

16 
17 Carl Kwashi Reinhold

September 27, 2003
Date

18 
19 Victoria Chamberlain, Executive Director
20 Teacher Standards and Practices Commission

October 9, 2003
Date

22 **CONCLUSIONS OF LAW**

23 On February 28, 2003, Carl Kwashi Reinhold possessed and smoked marijuana during
24 his lunch hour within 1000 feet of a school. Appearing on duty under the influence of a
25 controlled substance is a violation of OAR 584-020-0040(4)(g). This behavior constitutes Gross
26 Neglect of Duty. Engaging in acts constituting criminal conduct are basis for discipline pursuant
27 to OAR 584-020-0040(5)(e). This behavior constitutes Gross Unfitness. The Commission's
authority to impose discipline in this matter is based upon ORS 342.175.

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2 **ORDER**

3 Carl Kwashi Reinhold's Standard Teaching License is suspended for a period of ninety
4 (90) days effective on October 10, 2003, for engaging in an act constituting criminal conduct and
5 appearing on duty under the influence of a controlled substance. At the end of the suspension
6 period Mr. Reinhold's Standard Teaching License will be reinstated upon:

- 7 1. Submission of a complete application and fees pursuant to OAR 584-050-0015(3);
8 and
9 2. Submission of a letter of recommendation for licensure from a Kaizer Permanente
10 NW chemical dependency program counselor.

11 Upon reinstatement of licensure, Mr. Reinhold shall be placed on probation by the
12 Commission for a period of four (4) years subject to the following terms and conditions:

13 1. Mr. Reinhold shall, at his own initiative and expense, continue to obtain treatment for
14 chemical dependency as recommended by his treatment provider and abstain from the use of
15 any illegal substance;

16 2. During the period of his probation, Mr. Reinhold shall submit to the Executive Director
17 of the Commission reports of his compliance with the treatment plan. Mr. Reinhold shall provide
18 these reports every six (6) months beginning with April 10, 2004; October 10, 2004; April 10,
19 2005; October 10, 2005; April 10, 2006; October 10, 2006; April 10, 2007; and October 10, 2007
20 during his probation; and

21 3. Mr. Reinhold shall comply with all Standards for Competent and Ethical Performance
22 under Oregon Administrative Rules, Chapter 584, Division 020.

23 Violation of any term of probation shall constitute an independent basis for the
24 Commission to revoke Mr. Reinhold's teaching license or otherwise impose discipline, after first
25 providing Mr. Reinhold with notice and opportunity for hearing on the issue of whether or not he
26 violated probation.

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1 IT IS SO ORDERED this 9th day of October, 2003

2 TEACHER STANDARDS AND PRACTICES COMMISSION

3
4 By Victoria Chamberlain
5 Victoria Chamberlain, Executive Director

6 Approved as to form:

7
8 Adrienne Nelson

9 Adrienne Nelson, OSB #96098
10 Attorney for Carl Kwashi Reinhold

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