

1 This stipulation is contingent upon approval and adoption of the Order by the
2 Commission. If the Commission does not adopt this Order, neither Mr. Sinclair nor the
3 Commission are bound by these Stipulations and Mr. Sinclair retains all rights to a
4 hearing on the allegations.

5 **STIPULATION OF FACTS**

- 6 1. On or about July 17, 2001, The Commission received an application for an Initial
7 Teaching License from Terry Michael Sinclair.
- 8 2. Mr. Sinclair has since acquired a Hawaii Teaching License valid September 21,
9 2000 to September 20, 2002. He now requests an Oregon Transitional Teaching
10 License.
- 11 3. On or about October 8, 1996, Mr. Sinclair and his former girlfriend disagreed about
12 the circumstances of their relationship. Mr. Sinclair was arrested for Trespass,
13 Harassment and Domestic Violence.
- 14 4. On January 7, 1997, Mr. Sinclair was convicted of First Degree Trespass and
15 Harassment in Rio Grande County Circuit Court for the State of Colorado. The
16 Court sentenced Mr. Sinclair to six months probation; 90 days in jail, suspended; 45
17 hours community service in lieu of fine; and issued a mutual restraining order upon
18 both parties. The charge of Domestic Violence was dismissed.
- 19 5. Mr. Sinclair has no prior or subsequent criminal convictions.

20 IT IS SO STIPULATED:

21 Terry Michael Sinclair 10/1/01
22 Terry Michael Sinclair Date

23
24 David V. Myton 9/25/01
25 David V. Myton, Executive Director Date

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1 **CONCLUSION OF LAW**

2 Conviction of a crime may be used as evidence to establish an applicants lack of
3 fitness to serve as a teacher under ORS 342.143.

4 **ORDER**

5 The Commission adopts the above Findings of Fact and places Mr. Sinclair on
6 probation with the Commission for two (2) years.

7 The Commission authorizes issuance of a Transitional Teaching License to Terry
8 Michael Sinclair subject to all standard terms and conditions and subject to the following
9 special terms of probation:

10 1. The Commission places Mr. Sinclair on a two (2) year probation to commence
11 November 16, 2001.

12 2. The probation shall remain in effect subject to the following conditions:

13 a. Mr. Sinclair shall report in writing within ten days to the Executive Director of
14 the Commission any arrest or citation for any felony, misdemeanor, major
15 traffic violation;

16 b. Mr. Sinclair shall comply with the Standards for Competent and Ethical
17 Performance of Oregon Educators under OAR Chapter 584, Division 020.

18 Violation of any of the terms of probation shall constitute an independent basis
19 for the Commission to revoke Mr. Sinclair's teaching license or otherwise impose
20 discipline, after first providing Mr. Sinclair with notice and opportunity for hearing.

21 Dated this 19th day of November 2001.

22 **TEACHER STANDARDS AND PRACTICES COMMISSION**

23 By: David V. Myton
24 David V. Myton, Executive Director
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