

1 2. On or about March 1, 2005, four weeks after his license had expired; Mr. Sears applied to
2 the Commission for renewal of his Initial Teaching license.

3 3. From January 2, 2004, to June 1, 2004, Mr. Sears taught health services for the North
4 Central Education Service District (NCESD). Throughout the time that Mr. Sears taught
5 health services at NCESD, he did not possess a Professional Technical Teaching License.

6 4. A Professional Technical Teaching License is required by Commission rules to teach the
7 health services courses that Mr. Sears taught for NCESD from January 2, 2004 to June 1,
8 2004.

9
10 Barry K. Sears
Barry K. Sears

04-26-06
Date

11
12 Vickie Chamberlain
Vickie Chamberlain
13 Executive Director, TSPC

4-28-06
Date

14 **CONCLUSION OF LAW**

15 By serving NCESD without the proper license under OAR 584-050-0030(2), Mr. Sears
16 committed a substantial deviation from professional standards of ethics under OAR 584-020-
17 0040(4)(o) as it incorporates OAR 584-020-0035(2)(a), constituting gross neglect of duty.

18 **DISCUSSION AND ORDER**

19 Mr. Sear's failure to obtain a Professional Technical License prior to beginning to serve
20 the NCESD is sufficient basis to impose a 90-day suspension, to be followed by a probationary
21 term of four years.

22 Based on the foregoing, it is hereby ordered as follows:

23 1. Mr. Sears' application for renewal of his license is hereby granted.

1 2. Mr. Sears' license is suspended for 90 days, beginning on the date this Order is signed by
2 the Executive Director.

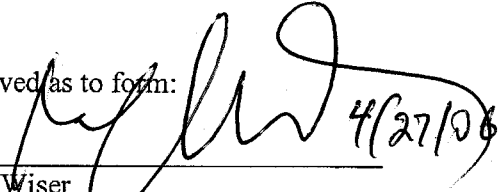
3 3. Mr. Sears is hereby placed on probation for a period of four (4) years. During
4 probationary term, Mr. Sears shall comply with all of the Commission's statutes and rules
5 regarding competent and ethical performance. Violation of a term or condition of probation may
6 constitute an independent basis for the Commission to impose permitted disciplinary sanctions,
7 subject to Mr. Sears' contested case hearing rights.

8 It is so Ordered this 15 day of May 2006.

9
10 
11 Vickie Chamberlain
12 Executive Director, TSPC

13 5-15-06
Date

14 Approved as to form:

15  4/27/06
16 Ralph Wiser
17 Attorney for Mr. Sears
18
19
20
21
22
23