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BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION

JAN 22 2019

OF THE STATE OF OREGON

3	In the Matter of the)	STIPULATION OF FACTS AND	Teacher Standards &
4	Educator License of)	FINAL ORDER OF SUSPENSION	Practices Commission
5	BARON M. GUIDO)		

6 On September 22, 2017, the Teacher Standards and Practices Commission (Commission)
7 received a report from the Brookings-Harbor School District alleging that Baron Guido (Guido) had
8 violated Professional Standards and Practices.

9 After review of the matters alleged, Guido and the Commission agree that their respective
10 interests, together with the public interest, are best served by a stipulation to certain facts, and the
11 imposition of a thirty (30) day suspension of Guido's Oregon educator license.

12 This document sets forth the facts upon which the parties have agreed and the stipulated
13 sanction to be imposed. Guido stipulates that there is sufficient evidence in the Commission's files
14 and records to support the findings of fact, conclusions of law, and order set forth below.

15 By signing below, Guido acknowledges, understands, stipulates, and agrees to the following:

- 16 (i) he has been fully advised of his rights to notice and a hearing to contest the findings of fact,
- 17 conclusions of law, and order set forth below, and fully and finally waives all such rights and any rights
- 18 to appeal or otherwise challenge this Stipulation of Facts and Final Order of Suspension and
- 19 Probation (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and
- 20 disclosed to the public upon request by the Commission; (iii) this Stipulation and Final Order is
- 21 contingent upon and subject to approval and adoption by the Commission. If the Commission does
- 22 not approve and adopt this Stipulation and Final Order, then neither Guido nor the Commission are
- 23 bound by the terms herein; (iv) he has fully read this Stipulation and Final Order, and understands it
- 24 completely; (v) he voluntarily, without any force or duress, enters into this Stipulation and Final Order
- 25 and consents to issuance and entry of the Stipulated Final Order below; (vi) he states that no promises
- 26 or representation has been made to induce him to sign this Stipulation and Final Order; and (vii) he
- 27 has consulted with an attorney regarding this Stipulation and Final Order and has been fully advised
- 28 with regard to his rights thereto, or waives any and all rights to consult with an attorney prior to

1 entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order
2 below.

3 **STIPULATION OF FACTS**

4 1) Guido has been licensed as an Educator in Oregon since August 16, 2005. Guido holds
5 Professional Teaching License, with an endorsement in Special Education: Generalist (PK-12),
6 valid from April 21, 2017 through September 4, 2022. Guido also holds a Continuing
7 Administrator License, with an endorsement in Administrator (ALL LVL), valid from October 8,
8 2015, through September 4, 2021. During all relevant times, Guido was employed by the
9 Brookings-Harbor School District.

10 2) On September 22, 2017, the Commission received information from the Brookings-Harbor School
11 District indicating Guido may have committed acts which constitute gross neglect of duty. The
12 district reported that on or about June 20, 2017, Guido had reported to work (on school grounds)
13 under the influence of alcohol.

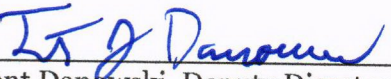
14 3) Investigation determined that on June 20, 2017, school officials were notified by staff that Guido
15 smelled of alcohol at the work place. District officials, believing Guido was under the influence of
16 intoxicants, escorted Guido to be tested for intoxicants. Guido voluntarily submitted to a Blood
17 Alcohol Content (BAC) breath testing. At 11:44 AM, Guido was tested and had a BAC of .049. At
18 11:54 AM, Guido was tested again and had a BAC of .030. Guido was placed on administrative
19 leave pending completion of the local investigation. Both test results indicated Guido was under
20 the influence of alcohol. Guido and his medical provider asserted that during this time he was
21 taking the prescription drug Naltrexone as part of his treatment. Guido asserts that a possible side
22 effect of Naltrexone is the drug delays the metabolizing of any alcohol ingested (reducing a
23 person's need to continue to consume alcohol). If valid, a person who consumes alcohol while
24 taking Naltrexone would retain the alcohol in their system longer than someone without
25 Naltrexone, but would remain under the influence as indicated by the testing results.
26 On July 13, 2017, Guido resigned his employment with the district.
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IT IS SO STIPULATED:


Baron M. Guido

1/13/19
Date


Trent Danowski, Deputy Director
Teacher Standards and Practices Commission

1/28/2019
Date

CONCLUSIONS OF LAW

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

The Commission's authority to impose discipline in this matter is based upon ORS 342.175.

ORDER

The Commission hereby adopts and incorporates herein the above stipulation of facts, conclusions of law, and based thereon hereby imposes a thirty (30) day suspension of Guido's Oregon educator licenses following the adoption of this order.

IT IS SO ORDERED this 8 day of February, 2019.

TEACHER STANDARDS AND PRACTICES COMMISSION

By: 
Dr. Anthony Rosilez, Executive Director