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In the Matter of the)
Administrative License of)
TERRY JOHN KNEISLER)

On June 6, 2011, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Terry John Kneisler (Kneisler) in which the Commission charged him with Gross Neglect of Duty pursuant to ORS 342.175(1)(b); OAR 584-020-0040(4)(a); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) and OAR 584-020-0025(2)(d); and OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(3)(a). The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7010 0290 0001 6831 3582 to the address on file with the Commission. The Certified Mail was signed for by Kneisler on June 10, 2011. The Notice of Opportunity of Hearing, dated June 6, 2010, and signed by Victoria Chamberlain, Executive Director, stated:

"IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF YOU FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."

Kneisler did not request a hearing. The Commission, therefore, finds Kneisler to be in default and enters the following findings of fact, conclusions of law and order, based on the files and records of the Commission concerning this matter.

FINDINGS OF FACT

1. The Commission has licensed Terry John Kneisler as an administrator in Oregon since August 20, 1996. Kneisler's current Standard Administrative License, with a Standard Superintendent endorsement, issued on February 17, 2007, is valid until February 16, 2012. During all relevant times, Kneisler was employed as Superintendent of the Reynolds School District.

- 1 2. While employed as Superintendent of the Reynolds School District, Kneisler used his
2 position to obtain reimbursements for elective medical expenses not covered by his
3 official compensation package.
- 4 3. Kneisler's receipt of these reimbursements resulted in the Oregon Ethics
5 Commission finding that he violated ORS 244.041, (*Except as provided in*
6 *subsection (2) of this section, a public official may not use or attempt to use official*
7 *position or office to obtain financial gain or avoidance of financial detriment for*
8 *the public official, a relative or member of the household of the public official, or*
9 *any business with which the public official or a relative or member of the household*
10 *of the public official is associated, if the financial gain or avoidance of financial*
11 *detriment would not otherwise be available but for the public official's holding of*
12 *the official position or office*), and ORS 244.041(a), (*Any part of an official*
13 *compensation package as determined by the public body that the public official*
14 *serves*), and an assessment of a civil penalty against him.
- 15 4. Kneisler incorrectly believed that he was entitled to apply for, receive and retain
16 district reimbursements for uninsured medical expenses for himself and family
17 members as part of his compensation as an administrator employed by the Reynolds
18 School District. These expenses were not contained in his written contract, but
19 because of district past practice, Kneisler sought reimbursement.

20 CONCLUSIONS OF LAW

21 Terry John Kneisler's conduct described in #2 above constitutes gross neglect of
22 duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates
23 OAR 584-020-0010(5) (*Use of professional judgment*), OAR 584-020-0025(2)(d)
24 (*Using district and school business and financial procedures*); and OAR 584-020-
25 0040(4)(a) (*Knowing and substantial unauthorized use of: school name or financial*
26 *credit; school materials or equipment for personal purposes; or school personnel to*
27 *provide personal services unrelated to school business*).

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31 Kneisler's conduct described in #3 and #4 above constitutes gross neglect of duty

1 Kneisler's conduct described in #3 and #4 above constitutes gross neglect of duty
2 in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(o) as it incorporates OAR
3 584-020-0035(3)(a) (*Maintain the dignity of the profession by respecting and obeying*
4 *the law, exemplifying personal integrity and honesty*).

5
6 The Commission's authority to impose discipline in this matter is based upon
7 ORS 342.175.

8 **FINAL ORDER**

9 The Commission hereby suspends the licensure of Terry John Kneisler for a
10 period of 30 days.

11 IT IS SO ORDERED THIS 14 day of January, 2012.

12 TEACHER STANDARDS AND PRACTICES COMMISSION

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14
15 By: 
16 Victoria Chamberlain, Executive Director
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21 **NOTICE OF APPEAL OR RIGHTS**

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23 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
24 BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE
25 SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF
26 ORS 183.482 TO THE OREGON COURT OF APPEALS.