

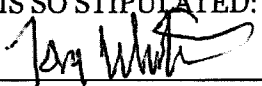
1 advised with regard to his rights thereto, or waives any and all rights to consult with an attorney prior
2 to entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order
3 below.

4 **STIPULATION OF FACTS**

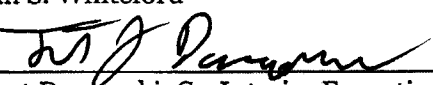
- 5 1) Whiteford has been licensed as an Educator in Oregon since April 16, 1992. Whiteford holds a
6 Professional Teaching License, with an endorsement in Elementary – Multiple Subjects (PK-12),
7 valid from November 26, 2016, through November 25, 2021. During all relevant times, Whiteford
8 was employed by the Oregon City School District.
- 9 2) On December 30, 2015, the Commission received information from the Oregon City School district
10 indicating Whiteford may have committed acts which constitute gross neglect of duty. The district
11 reported Whiteford failed to adhere to a February 17, 2015, Letter of Reprimand and last chance
12 type agreement related to an incident that occurred on or about February 6, 2015, in which
13 Whiteford was found to have been under the influence of alcohol on school grounds.
- 14 3) Investigation determined that on February 6, 2015, school officials were notified by staff that
15 Whiteford appeared intoxicated in the classroom. Whiteford was confronted about the allegation
16 and agreed to take a breath test. Whiteford submitted two breath samples at a local clinic, and
17 both tests indicated Whiteford was under the influence of alcohol. School officials issued
18 Whiteford a written reprimand and placed him on an agreement to complete related alcohol
19 treatment. On December 2, 2015, a school official observed Whiteford exhibiting signs of
20 intoxication on school grounds. Officials requested and Whiteford agreed to be tested for alcohol.
21 Whiteford participated in two test samples, one at 11:44 AM with a test results of .089 BAC and
22 the second test at 12:02 PM with a test results of .085 BAC. Both test results indicated Whiteford
23 was under the influence of alcohol and over the presumptive legal limit by Oregon law as related to
24 driving under the influence (.08 BAC).
- 25 4) The Oregon City School District advised Whiteford they would be seeking his termination based
26 on the findings that Whiteford was under the influence of alcohol on school property, a violation of

1 local policy, and because of Whiteford's failure to comply with the last chance agreement. On
2 December 8, 2015, Whiteford submitted his resignation in lieu of termination.

3 IT IS SO STIPULATED:

4 
5 Tom S. Whiteford

10/3/17
Date

6 
7 Trent Danowski, Co-Interim Executive Director
8 Teacher Standards and Practices Commission

11/4/18
Date

9
10 **CONCLUSIONS OF LAW**

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

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

17 **ORDER**

18 The Commission hereby adopts and incorporates herein the above stipulation of facts,
19 conclusions of law, and based thereon hereby imposes a sixty (60) day suspension upon Whiteford's
20 Oregon educator license as follows:

21 Tom S. Whiteford's Oregon educator license is hereby suspended for sixty (60) days following
22 the adoption of this order.

23 Furthermore, the Commission imposes a two (2) year period of probation upon Whiteford to
24 commence upon reinstatement of his Oregon educator license and subject to the following terms and
25 conditions of probation:

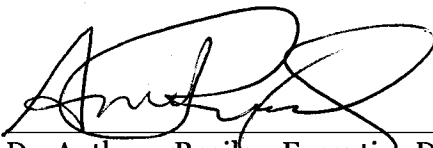
- 26 1. Whiteford shall comply with the Standards for Competent and Ethical Performance of
27 Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020.

2. Whiteford has provided a favorable evaluation / treatment report (Alcohol treatment program completed March 9, 2016) from an approved provider, meeting commission standards for such.
3. Whiteford will continue any recommended counseling or treatment related to his alcohol treatment plan.
4. Whitford's suspension shall be considered effective starting November 3, 2017, and as of the execution of this order, considered completed in full (60 days) as approved by the Commission at the January 19, 2018, Commission meeting.

Violation of any term or condition of probation shall constitute an independent basis for the Commission to revoke Whitford's Oregon educator license or otherwise impose discipline, after first providing Shoff with notice and opportunity for hearing

IT IS SO ORDERED this 19 day of January, 2018.

TEACHER STANDARDS AND PRACTICES COMMISSION

By: 

Dr. Anthony Rosilez, Executive Director