BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON

3 4 5 6 7	In the Matter of the) STIPULATION OF FACTS, Licensure of) ORDER OF REPRIMAND GARETH MICHAEL POOLEON) AND PROBATION On or about January 17, 2002, the Teacher Standards and Practices Commission
8	(Commission) received a report from Kathryn Baker, Superintendent, Salem-Keizer Public
9	Schools indicating that Gareth Michael Pooleon (Pooleon) was involved in a domestic dispute
10	which resulted in his arrest for Domestic Assault IV and Driving Under the Influence of
11	Intoxicants (DUII).
12	After review of the matters alleged, Mr. Pooleon and the Commission agree that their
13	respective interests, together with the public interest, are best served by a stipulation to certain
14	facts, the imposition of a Public Reprimand and a four (4) year probation. This Order sets forth
15	the facts upon which the parties have agreed and the sanction to be imposed. Mr. Pooleon
	stipulates that there are sufficient facts contained in the Commission's files and records to
17	support the findings of fact and conclusions of law set forth below. In entering into this
18	stipulation, Mr. Pooleon waives the right to a hearing to contest the findings of fact, conclusion
19	of law and order set forth below. Mr. Pooleon understands that the probation will be subject to
20	specific conditions.
21	STIPULATION OF FACTS
22	1. Gareth Michael Pooleon holds a Standard Teaching License with a Standard Social
23	Studies Endorsement valid from February 11, 2000, through June 21, 2005, and a Initial
24	Administrative License with a Administrator Endorsement valid January 31, 2000, through June
25	21, 2003.

 Mr. Pooleon was employed by the Salem-Keizer Public Schools beginning in November of 1992 through March 12, 2002. He was serving as Assistant Principal at McNary High School at the time of his dismissal.

26

27

29

3. On October 26, 1996, Mr. Pooleon was arrested for DUII in Newport, Oregon.

Page 1-STIPULATION OF FACTS, ORDER OF REPRIMAND AND PROBATION - POOLEON

1	Mr. Pooleon was granted Diversion in Lincoln County District Court. He completed Diversion on
)	November 24, 1997.
3	4. On December 20, 2001, Mr. Pooleon was arrested in Keizer, Oregon on charges of
4	DUII and Assault IV-Domestic. On February 15, 2002, Mr. Pooleon pled guilty and was
5	convicted of DUII. He received 24 months court probation and was required to complete alcoho
6	treatment. On February 15, 2002 Mr. Pooleon entered into a Diversion agreement for
7	Harassment with the Court on a plea agreement dismissing the Assault IV-Domestic charge.
8	The Diversion was modified on June 19, 2002. As conditions of Diversion Mr. Pooleon was
9	required to complete Anger Management Counseling at Blayre Alternatives.
10	5. On June 19, 2002, Mr. Pooleon was convicted of Driving While Suspended, a
11	misdemeanor. He was sentenced to four additional months court probation until June 19, 2004.
12	6. Mr. Pooleon recognizes that he has an alcohol dependency problem. He completed
13	out-patient treatment at Serenity Lane.
•	Gareth Michael Pooleon enters into this Stipulation of Facts with the knowledge that the
15	Teacher Standards and Practices Commission shall place him on probation for a period of four
16	(4) years. This Stipulation is contingent upon approval and adoption of the Order by the full
17	Commission. If the Commission does not adopt this Order, neither Mr. Pooleon nor the
18	Commission are bound by these stipulations and Mr. Pooleon retains the right to a hearing on
19	the allegations.
20	IT IS SO STIPULATED:
21 22	Gareth Michael Pooleon $\frac{2-28-03}{\text{Date}}$
23 24 (25 26	Victoria Chamberlain, Executive Director Teacher Standards and Practices Commission 2 - /2 - 03 Date Date
27	<i>111</i>

CONCLUSIONS OF LAW

Gareth Michael Pooleon's arrests and convictions for criminal behavior violate OAR 584-020-0040(5)(c) and OAR 584-020-0040(5)(e). This misconduct constitutes Gross Unfitness.

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

5 ORDER

The Commission adopts the above stipulation of facts and imposes a Public Reprimand upon Mr. Pooleon. This Stipulation of Facts, Order and Probation constitute the Reprimand. Furthermore, the Commission imposes a four (4) year probation upon Mr. Pooleon subject to the following terms and conditions:

- 1. Mr. Pooleon shall provide the Executive Director with a copy of the treatment plan and at his own initiative and expense, continue to obtain treatment for his alcohol dependency as recommended by his alcohol treatment provider;
- 2. During the period of this probation, Mr. Pooleon shall comply with the terms of the treatment and aftercare plans. Mr. Pooleon shall abstain from the consumption of alcohol;
- 3. During the period of his probation, Mr. Pooleon shall submit to the Executive Director of the Commission reports of his compliance with the treatment plan. Mr. Pooleon shall provide these reports every six (6) months during his probation;
- 4. Mr. Pooleon shall report in writing within ten days to the Executive Director of the Commission any arrest or citation for any felony, misdemeanor or major traffic violation; and
- 5. Mr. Pooleon shall comply with all Standards for Competent and Ethical Performance under Oregon Administrative Rules Chapter 584, Division 020.
- If Mr. Pooleon does not comply with his treatment plan based on the reports of his treatment provider or as otherwise determined by the Executive Director he shall be in violation of the terms of this probation. Violation of the terms of this probation may constitute an independent basis for the Commission to impose discipline, up to and including revocation of Mr. Pooleon's licensure subject to Mr. Pooleon's right to a hearing on the issue of whether he violated probation.

1	IT IS SO ORDERED this day of March, 2003	
	TEACHER STANDARDS AND PRACTICES COMMISSION	
3 4 5	By Manberlain, Executive Director	
6 7	Approved as to form:	
8	Jam MBaco	
10	James M. Brown OSB #67012 Attorney for Gareth Michael Pooleon	[021203]