

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

3 In the Matter of the) STIPULATION OF FACTS,
4 Teaching License of) FINAL ORDER OF REPRIMAND
5 CASEY JON FAUST) AND PROBATION

6 On March 14, 2006, the Teacher Standards and Practices Commission (Commission)
7 received a report from Susan Summers, Director of Human Resources, David Douglas School
8 District indicating that Casey Jon Faust (Faust) tested positive on pre-employment urinalysis for
9 drugs.

10 Mr. Faust fully cooperated with the Commission's investigation in this matter. After
11 review of the matters alleged, Mr. Faust and the Commission agree that their respective
12 interests, together with the public interest, are best served by a stipulation to certain facts, the
13 imposition of a public reprimand followed by a three (3) year probation.

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

18 By signing below, Mr. Faust acknowledges, understands, stipulates, and agrees to the
19 following: (i) he has been fully advised of his rights to notice and a hearing to contest the
20 findings of fact, conclusions of law, and order set forth below, and fully and finally waives all
21 such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final
22 Order of Reprimand and Probation (Stipulation and Final Order); (ii) this Stipulation and Final
23 Order is a public document and disclosed to the public upon request by the Commission;
24 (iii) this Stipulation and Final Order is contingent upon and subject to approval and adoption by
25 the Commission. If the Commission does not approve and adopt this Stipulation and Final
26 Order, then neither Mr. Faust nor the Commission are bound by the terms herein; (iv) he has
fully read this Stipulation and Final Order, and understands it completely; (v) he voluntarily,

1 without any force or duress, enters into this Stipulation and Final Order and consents to
2 issuance and entry of the Stipulated Final Order below; (vi) he states that no promises or
3 representation has been made to induce him to sign this Stipulation and Final Order; and (vii) he
4 has consulted with an attorney regarding this Stipulation and Final Order and has been fully
5 advised with regard to his rights thereto, or waives any and all rights to consult with an attorney
6 prior to entering into this Stipulation and Final Order and issuance and entry of the Stipulated
7 Final Order below. Mr. Faust understands that the probation will be subject to specific terms
8 and conditions.

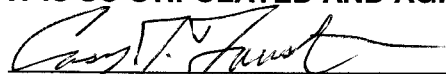
9 **STIPULATION OF FACTS**

10 1. The Commission has licensed Casey Jon Faust since August 30, 2001. Mr. Faust
11 currently holds an Initial Teaching License valid January 20, 2005, through January 18, 2009,
12 with endorsements in Multiple Subjects and Multiple Subjects Self-Contained, ECE, ELE.

13 2. Mr. Faust has been employed by Neah-Kah-Nie School District as a full time teacher
14 from August 2001 through June 2002; substitute teacher for Lane Education School District
15 from September 2003, through March 2004; and as a full time teacher for Tigard-Tualatin
16 School District from August 2004, through June 2005.

17 3. On January 5, 2006, Mr. Faust was offered a teaching assignment with the David
18 Douglas School District contingent on his successful completion of a drug-screening test. Mr.
19 Faust tested positive on the test for the presence of marijuana. As a result, the district withdrew
20 its offer of employment.

21 **IT IS SO STIPULATED AND AGREED TO:**

22 
23 Casey Jon Faust

1-3-07
Date

24 
25 Victoria Chamberlain, Executive Director
26 Teacher Standards and Practices Commission

12-15-06
Date

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CONCLUSIONS OF LAW

Casey Jon Faust tested positive for marijuana in a drug-screening test that was part of his application for employment with the David Douglas School District. His positive test result constitutes gross neglect of duty in violation of OAR 584-020-0040(4)(g) and gross unfitness in violation of OAR 584-020-0040(5). The Commission has the authority to impose discipline in this matter under ORS 342.120 through 342.430 and OAR Chapter 584.

FINAL ORDER

The Commission hereby adopts and incorporates herein the above findings of fact, conclusions of law, and based thereon hereby imposes a Public Reprimand upon Mr. Faust. The Stipulation of Facts, Final Order and Probation constitutes the Reprimand.

Furthermore, the Commission imposes a three (3) year probation upon Mr. Faust to commence the date of adoption of this order and subject to the following terms and conditions of probation:

1. Mr. Faust shall, within thirty days of the date of this Order, at his own initiative and expense, undergo an evaluation by a mental health professional who is acceptable to the Commission to determine Mr. Faust's need for alcohol or drug treatment. Mr. Faust shall furnish the evaluator with a copy of this order and any other information which the evaluator deems pertinent. The evaluation shall include the administration of urinalysis or other drug testing as deemed appropriate by the evaluator. Following the evaluation, the evaluator shall submit a report directly to the Commission. The report shall contain a description of the evaluator's processes in conducting the evaluation and the evaluator's findings. The evaluation shall also contain a recommendation as to whether Mr. Faust should participate in continuing drug and/or alcohol treatment. The evaluation shall also contain a statement as to whether Mr. Faust has an underlying drug or alcohol-related condition that would prevent him from meeting his professional responsibilities as a public school teacher.

1 2. Mr. Faust shall continue with ongoing drug-alcohol treatment as recommended by the
2 evaluator. Such continuing treatment shall include periodic random urinalysis if recommended
3 by the evaluator. Failure of Mr. Faust to comply with any request for random urinalysis or failure
4 to pass a urinalysis test shall be a violation of probation.

5 3. If continuing treatment is recommended by the evaluator, Mr. Faust shall submit to
6 the Executive Director reports of his compliance with the treatment plan; such reports shall be
7 submitted every six (6) months on or before the following dates: July 11, 2007; January 11,
8 2008; July 11, 2008; January 11, 2009; July 11, 2009; and January 11, 2010.

9 4. Mr. Faust shall report in writing within ten days to the Executive Director of the
10 Commission any arrest or citation for any felony, misdemeanor, major traffic violation or
11 violation of criminal probation; and

12 5. Mr. Faust shall comply with the Standards for Competent and Ethical Performance of
13 Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020.

14 Violation of any term or condition of probation shall constitute an independent basis for
15 the Commission to revoke Mr. Faust's teaching license or otherwise impose discipline, after first
16 providing Mr. Faust with notice and opportunity for hearing.

17 Issued and dated this 11 day of January, 2007.

18 **TEACHER STANDARDS AND PRACTICES COMMISSION**
19 **STATE OF OREGON**

20 BY *Victoria Chamberlain*
21 Victoria Chamberlain, Executive Director
22

[121306]