

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

In the Matter of the )  
Teaching Certificate of )     **DEFAULT ORDER**  
**WILLIAM ELLIS WHITE** )     **ON TWO YEARS'**  
                                  )     **PROBATION**

On August 14, 1991, Beaverton School District reported to TSPC that William Ellis White, a teacher and coach in the district had multiple convictions for driving under the influence of intoxicants constituting gross neglect of duty and gross unfitness as defined in Oregon Administrative Rules 584-20-040. On December 12, 1991, the Executive Secretary informed White of the Commission's intent to impose a two year probation for these violations of Standards of Competent and Ethical Performance. The notice stated:

"You, William Ellis White, are entitled to a hearing on the proposed two year probation period. If you desire a hearing, you must notify the Executive Secretary of the Commission in writing that you request a hearing within 21 days of the date of mailing of this notice to you. . . .IF YOU DO NOT REQUEST A HEARING WITHIN 21 DAYS OF THE DATE OF THE MAILING OF THIS NOTICE, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED, AND THE COMMISSION SHALL ADOPT AN ORDER OF DEFAULT ON JANUARY 31, 1992, PLACING YOU ON A TWO YEAR PROBATION PERIOD WITHOUT A HEARING."

FINDINGS OF FACT

1. William E. White failed to report a conviction for driving under the influence of intoxicants on his application for renewal of certificate in August 1988.
2. On April 25, 1990, White was arrested for driving under the influence of intoxicants in Washington County and was convicted on July 18, 1990.
3. On September 21, 1990, White appeared at a Beaverton High School football game under the influence of intoxicants.
4. On September 22, 1990, beer was found in White's Beaverton High School classroom closet.

5. On July 1, 1991, White was arrested and convicted in Jackson County for riding a bicycle under the influence of intoxicants.

#### ULTIMATE FINDINGS OF FACT

1. William Ellis White was convicted of driving under the influence of intoxicants in 1988, 1990, and 1991.
2. White answered incorrectly regarding convictions on his August 1988 application for certificate.
3. White appeared at a district-sponsored event under the influence of intoxicants and had beer in his classroom closet in 1990.

#### CONCLUSIONS OF LAW

The conduct of William Ellis White constitutes gross neglect of duty and gross unfitness in violation of ORS 342.175 and OAR 584-20-040.

#### OPINION

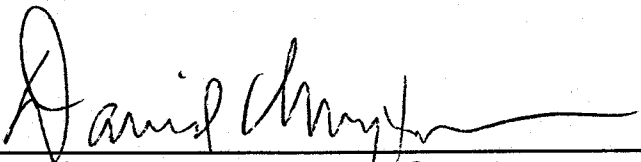
The Commission considers repeated convictions for driving under the influence of intoxicants to have a direct bearing on fitness to serve as an educator. Appearing at a school-sponsored event under the influence of intoxicants and storing alcoholic beverages in a high school classroom constitute neglect of duty. Making a false statement regarding convictions on an application for certification is a serious breach of professional ethics. Taken together or individually these actions are cause for imposing disciplinary sanctions on Mr. White.

ORDER

The Commission places William E. White on probation for a period of two years from the date of this order. During the probation, Mr. White shall not commit any alcohol-related crime or be involved in any alcohol-related incident while on duty at school or at any district-sponsored activity.

Dated this 7<sup>th</sup> day of Feb, 1992.

TEACHER STANDARDS AND PRACTICES COMMISSION

By:   
David V. Myton, Executive Secretary

NOTICE OF APPEAL OF RIGHTS

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

DVM/cs

CERTIFIED MAIL--RETURN RECEIPT REQUESTED

CERTIFICATE OF MAILING

I hereby certify that I served the foregoing order by mailing a true copy thereof, certified by me as such, by U.S. Certified Mail with Return Receipt Requested addressed to William White's attorney:

Paul B. Gamson  
Bennett & Hartman  
851 SW 6th, Suite 1600  
Portland, OR 97204-1376

Dated this 7<sup>th</sup> day of February, 1992.

By: Charlene A. Smith

Charlene A. Smith  
Secretary to the Commission