

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

3 In the Matter of the)
4 Personnel Service License of)
5 SAMUEL HASKIN ALEY) STIPULATION OF FACTS,
ORDER OF SUSPENSION
AND PROBATION

6 On or about April 21, 2004, the Teacher Standards and Practices Commission
7 (Commission) received a report from Maureen R. Sloane, Human Resources Council, Portland
8 Public Schools alleging that Samuel Haskin Aley, a counselor at the Portland Public Schools,
9 has violated the standards of the Teacher Standards and Practices Commission when he
10 reported to the District that he is addicted to "controlled substances".

11 Mr. Aley fully cooperated with the Commission's investigation. After review of the
12 matters alleged, Mr. Aley and the Commission agree that their respective interests, together
13 with the public interest, are best served by a stipulation to certain facts, a one (1) year
14 revocation of Mr. Aley's teaching license and a four (4) year probation period upon
reinstatement of said licensure.

16 This Order sets forth the facts upon which the parties have agreed and the sanction to
17 be imposed. Mr. Aley stipulates that there are sufficient facts contained in the Commission's
18 files and records to support the findings of fact and conclusions of law set forth below. In
19 entering into this stipulation, Mr. Aley waives the right to a hearing to contest the finding of fact,
20 conclusion of law and order set forth below.

21 This stipulation is contingent upon approval and adoption of the Order by the
22 Commission. If the Commission does not adopt this Order, neither Mr. Aley nor the
23 Commission are bound by these Stipulations and Mr. Aley retains all rights to a hearing on the
24 allegations.

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2 **STIPULATION OF FACTS**

3 1. The Commission issued a Basic Personnel Service License with a Standard School
4 Psychologist endorsement to Mr. Aley on August 2, 2000. The license expired on July 26,
5 2004.

6 2. Mr. Aley was employed as a school psychologist for Portland Public Schools.
7 Mr. Aley has received positive evaluations from Portland Public Schools since he began his
8 employment with the District in 2000.

9 3. Mr. Aley was arrested on October 22, 2003, for possession of a Schedule II
10 controlled substance. As of March 22, 2005, the criminal charges remain open, pending
11 successful completion of a court ordered rehabilitation program.

12 4. Mr. Aley provided information to the District regarding his conviction. The District
13 agreed to continuation of employment contingent upon completion of a chemical dependency
14 assessment and compliance with any treatment if referred.

15 5. On April 24, 2004, Mr. Aley participated in a chemical dependency assessment at
16 Cascade Centers, Inc.

17 6. On April 28, 2004, Cascade Centers, Inc. provided a telephonic statement to the
18 Portland School District confirming that Mr. Aley met with a counselor for an assessment. Mr.
19 Aley was referred for treatment by the evaluator.

20 7. Mr. Aley entered into a "Last Chance Agreement" with the Portland Public Schools on
21 April 20, 2004. Mr. Aley violated the terms of the "Last Chance Agreement".

22 8. On December 8, 2004, Mr. Aley told Teacher Standards and Practices Commission
23 Investigator that he remains in the program and follows the program to the best of his abilities,
24 however, Mr. Aley continues to have relapses and has used controlled substances as late as
25 December 6, 2004.

26 This stipulation is contingent upon approval and adoption of the Order by the full
27 Commission. If the Commission does not adopt this Order, neither Mr. Aley nor the

1 Commission are bound by these stipulations and Mr. Aley retains the right to a hearing on the
2 allegations.

3 IT IS SO STIPULATED:

4 Samuel Haskins Aley M.S.
5 Samuel Haskins Aley

5-11-05
Date

6 Victoria Chamberlain
7 Victoria Chamberlain, Executive Director
8 Teacher Standards and Practices Commission

5-04-05
Date

9 **CONCLUSIONS OF LAW**

10 Samuel Haskins Aley is guilty of Gross Unfitness in violation of OAR 584-020-0040(5)(e)
11 through his continued use of controlled substances which constitutes an act of criminal conduct.

12 Samuel Haskins Aley is guilty of Gross Neglect of Duty in violation of OAR 584-020-
13 0040(4)(n) as it incorporates OAR 584-020-0010(5) through his demonstrated failure to use
14 professional judgment when using controlled substances.

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ORDER

The Commission adopts the above Stipulation of Facts, imposes a one (1) year revocation of Mr. Aley's right to apply for a license, effective January 1, 2005. Pursuant to OAR 584-050-0015(3), Mr. Aley may apply to the Commission for reinstatement of his teaching license on or after January 1, 2006.

Furthermore, if the license is reinstated, the Commission imposes four (4) year probation upon Mr. Aley to commence the date of issuance of said license and subject to the following special terms and conditions of probation:

1. Mr. Aley shall notify the Commission of any discipline imposed upon him by an employing school district for any reason during the term of this probation;

2. Mr. Aley 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;

3. Mr. Aley shall submit to the Commission the plan of ongoing treatment he will be taking throughout his probation for his chemical dependency condition as recommended by the treating professional he has been using;

4. Mr. Aley shall submit to random urinalysis samples to an approved substance abuse program on monthly basis specific to schedule 2 controlled substances;

5. Mr. Aley shall sign a medical release form and provide a copy of the release form to the substance abuse program manager and to the Commission;

6. Mr. Aley shall report to the Commission every six (6) months during his probation, on or before: (Dates to be determined once license is reinstated); and

7. Mr. Aley shall comply with the Standards for Competent and Ethical Performance of Oregon Educators under Oregon Administrative Rules, Chapter 584, and Division 020.

Violation of any of the terms of probation shall constitute an independent basis

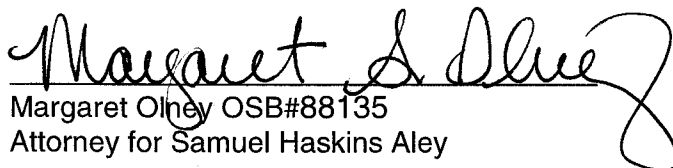
1 for the Commission to revoke Mr. Aley's teaching license or otherwise impose
2 discipline, after first providing Mr. Aley with notice and opportunity for hearing. It is
3 Mr. Aley's duty to proactively seek termination of the probation at end of the four years.

4 IT IS SO ORDERED this 20 day of May, 2005.

5 TEACHER STANDARDS AND PRACTICES COMMISSION

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7 By  _____
8 Victoria Chamberlain, Executive Director

9 Approved as to form:

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11 _____
12 Margaret Olney OSB#88135
13 Attorney for Samuel Haskins Aley

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