BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 3 OF THE STATE OF OREGON 4 5 6 In the Matter of the Teaching License of STIPULATION OF FACTS 7 TERRY MICHAEL SINCLAIR AND PROBATION 8 9 10 On or about July 17, 2001, the Teacher Standards and Practices Commission. 11 (Commission) received an application for an Initial Teaching License from Terry Michael 12 Sinclair (Sinclair). 13 Mr. Sinclair responded "yes" to character question, "8. Have you ever been 14 convicted or been granted conditional discharge by any court for: (a) any felony; (b) 15 misdemeanor; or (c) any major traffic violation..., "Mr. Sinclair also responded "yes" to 16 character question, "10. Have you ever entered a plea of guilty or No Contest relative to 17 any charge for an offense listed in question 8.?" Mr. Sinclair provided information from 18 Rio Grande County Circuit Court, Colorado, and a statement indicating that he pled no 19 contest to First Degree Criminal Trespass and Harassment he was convicted on 20 January 7, 1997. 21 After review of the facts in this matter, Mr. Sinclair and the Executive Director 22 agree that their respective interests, together with the public interests, are best served 23 by a stipulation to certain facts, followed by a probation of two (2) years. 24 This Order sets forth the facts upon which the parties have agreed and the 25 sanction to be imposed. In entering into this stipulation, Mr. Sinclair waives the right to 26 a hearing to contest the findings of fact, conclusion of law and order set forth below. 27 Mr. Sinclair understands that the Commission will impose a two (2) year probation with 28 specific conditions.

1 This stipulation is contingent upon approval and adoption of the Order by the 2 Commission. If the Commission does not adopt this Order, neither Mr. Sinclair nor the 3 Commission are bound by these Stipulations and Mr. Sinclair retains all rights to a 4 hearing on the allegations. 5 STIPULATION OF FACTS 1. On or about July 17, 2001, The Commission received an application for an Initial 6 7 Teaching License from Terry Michael Sinclair. 2. Mr. Sinclair has since acquired a Hawaii Teaching License valid September 21, 8 2000 to September 20, 2002. He now requests an Oregon Transitional Teaching 10 License. 11 3. On or about October 8, 1996, Mr. Sinclair and his former girlfriend disagreed about 12 the circumstances of their relationship. Mr. Sinclair was arrested for Trespass, 13 Harassment and Domestic Violence. 4. On January 7, 1997, Mr. Sinclair was convicted of First Degree Trespass and 14 Harassment in Rio Grande County Circuit Court for the State of Colorado. The 15 Court sentenced Mr. Sinclair to six months probation; 90 days in jail, suspended; 45 16 17 hours community service in lieu of fine; and issued a mutual restraining order upon 18 both parties. The charge of Domestic Violence was dismissed. 19 5. Mr. Sinclair has no prior or subsequent criminal convictions. 20 IT IS SO STIPULATED: 10/1/01 Date 21 22 23 24 25

1	CONCLUSION OF LAW
2	Conviction of a crime may be used as evidence to establish an applicants lack of
3	fitness to serve as a teacher under ORS 342.143.
4	ORDER
5	The Commission adopts the above Findings of Fact and places Mr. Sinclair on
6	probation with the Commission for two (2) years.
7	The Commission authorizes issuance of a Transitional Teaching License to Terry
8	Michael Sinclair subject to all standard terms and conditions and subject to the following
9	special terms of probation:
10	1. The Commission places Mr. Sinclair on a two (2) year probation to commence
11	November 16, 2001.
12	2. The probation shall remain in effect subject to the following conditions:
13	a. Mr. Sinclair shall report in writing within ten days to the Executive Director of
14	the Commission any arrest or citation for any felony, misdemeanor, major
15	traffic violation;
16	b. Mr. Sinclair shall comply with the Standards for Competent and Ethical
17	Performance of Oregon Educators under OAR Chapter 584, Division 020.
18	Violation of any of the terms of probation shall constitute an independent basis
19	for the Commission to revoke Mr. Sinclair's teaching license or otherwise impose
20	discipline, after first providing Mr. Sinclair with notice and opportunity for hearing.
21	Dated thisday of November 2001.
22	TEACHER STANDARDS AND PRACTICES COMMISSION
23 24 25	By: David V Mytor Executive Director