

F. SERVER EDUCATION PROGRAM PROVIDERS

F.1. Violations (OAR 845-016-0015; OAR 845-016-0035) [(OAR 845-16-015; OAR 845-16-035)]

The Commission held that a provider's failure to meet the 4.5 hour minimum instruction time requirement set out in OAR 845-16-015(1)(b) was a violation of OAR 845-16-060(1) (changing program content or method). *Strance Alcohol Programs*, OLCC-95-MS-001, March 1997.

Provider's submission of an answer sheet to the Commission on behalf of a person who did not attend a Server Education class or take the examination, was a falsification of examination materials in violation of OAR 845-16-035(2). *William Strance, Alcohol Programs*, OLCC-87-MS-002, February 1988.

Provider's deletion of role-playing exercises, without approval of the Commission, was a change in method of course presentation in violation of OAR 845-16-060(1). The provider asked questions and received responses from the student. They did not "act out" the activity as required by role-playing. *William Strance, Alcohol Programs*, OLCC-87-MS-002, February 1988.

Provider violated OAR 845-16-035(2) because he did not ensure against cheating. Provider was absent from the test-taking room for such an extended period of time that the student could have used the course booklet as an aid in taking the examination. Proof of actual cheating is not required. *William Strance, Alcohol Programs*, OLCC-87-MS-002, February 1988.

F. SERVER EDUCATION PROGRAM PROVIDERS

F.2. Penalties

Cancellation of the provider's certification was the appropriate penalty for two violations of making intentional, material false statements to the Commission and for six violations of OAR 845-16-060(1)(changing the ASE program without prior approval). *Strance Alcohol Programs*, OLCC-95-MS-001, March 1997.

Provider's failure to supervise an employee, submit a written report, and pay fees on time, are not, as yet clearly proscribed by Commission rules and are not a basis for cancellation of provider certification. *William Strance, Alcohol Programs*, OLCC-87-MS-002, February 1988.

Cancellation was not appropriate for falsification of an answer sheet where a pattern of misconduct or a repeated failure to conform to Commission regulatory requirements was not shown. *William Strance, Alcohol Programs*, OLCC-87-MS-002, February 1988.

Provider's failure to gain prior Commission approval of a change in course presentation, and his failure to ensure against cheating were minimal deviations from Commission requirements in these areas. Compliance could most likely be obtained through a suspension or reprimand. *William Strance, Alcohol Programs*, OLCC-87-MS-002, February 1988.