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2 BEFORE THE
3 TEACHER STANDARDS AND PRACTICES COMMISSION
4 STATE OF OREGON
5

6 In the Matter of the)
7 Teaching License of) STIPULATION OF FACTS
8 EUGENE HERIGSTAD) AND ORDER OF PROBATION
9)
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11

12 FINAL ORDER
13

14 By resolution dated May 13-14, 1999, the Teacher Standards and Practices
15 Commission adopts the attached proposed order to place Eugene Herigstad on
16 Probation for a period of one year from the date of order. Terms of probation as
17 indicated in the attached order.
18

19 DATED THIS 19th day of May, 1999.
20

21 TEACHER STANDARDS AND PRACTICES COMMISSION
22

23
24 By 
25 _____
26 David V. Myton, Executive Director
27

28 NOTICE: YOU ARE ENTITLED TO A JUDICIAL REVIEW OF THIS ORDER.
29 JUDICIAL REVIEW MAY BE OBTAINED BY FILING A PETITION FOR REVIEW
30 WITHIN 60 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW
31 IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE OREGON
32 COURT OF APPEALS.
33
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In the Matter of the
Teaching License of
EUGENE HERIGSTAD

STIPULATION OF FACTS AND ORDER OF PROBATION

On March 17, 1999, the Teacher Standards and Practices Commission informed Eugene Herigstad that the Commission found sufficient evidence of violation of Standards for Competent and Ethical Performance of Oregon Educators to warrant a hearing regarding multiple convictions for DUII and Driving While Suspended. Herigstad requested a hearing on the allegations, but before a hearing date was set, the parties have agreed that their respective interest and the interests of the State are best served by a Stipulation of Facts and Order of [REDACTED] Probation as set forth below.


1. Eugene Herigstad holds a Basic Teaching License endorsed for elementary and valid from July 6, 1998 to November 30, 2001.
2. On or about February 15, 1994, Marion County District Court granted Herigstad Diversion for DUII, on June 23, 1997, Herigstad was convicted of a second DUII; and on March 6, 1998, Herigstad was convicted of Driving While Suspended--violation.
3. On November 4, 1997, Herigstad failed to maintain the dignity of the profession by respecting and obeying the law. On June 18, 1996, Herigstad's driving privileges were suspended for three years. Herigstad drove from his residence to work at Cummings Elementary School each day beginning in September 1997 until November 4, 1997, when he was arrested for Driving While Suspended in front of the school.

Eugene Herigstad enters into this Stipulation of Facts with knowledge that the Teacher Standards and Practices Commission will place him on Probation for one year from the date of this Order. This Stipulation is contingent upon approval and adoption of the Order by the Commission. If the Commission does not adopt this Order, neither Eugene Herigstad nor the Commission is bound by these stipulations, and Eugene Herigstad retains all rights to a hearing on the allegations.

IT IS SO STIPULATED:

Eugene Herigstad
Eugene Herigstad

5-2-99
Date



David V. Myton, Executive Director
Teacher Standards and Practices Commission

576/99
Date

1
2 ULTIMATE FINDINGS OF FACT AND CONCLUSIONS OF LAW
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4 Eugene Herigstad violated Standards of Competent and Ethical Performance for Oregon
5 Educators by multiple convictions for DUII and Driving While Suspended in violation of OAR
6 584-020-0040(5).
7

8 ORDER
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10 The Commission places Eugene Herigstad on Probation for a period of one year from the date of
11 this Order. During the period of probation Herigstad shall:
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13 1) Conduct himself as a law-abiding citizen;
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15 2) Comply with Standards of Competent and Ethical Performance for Oregon Educators;
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17 3) Provide to the Commission such information as requested to verify that he has
18 complied with the conditions of probation, including a statement from his employing district
19 that he has complied with the Standards for Competent and Ethical Performance; and
20

21 4) Notify the Commission's Executive Director of any discipline or investigation
22 occurring during the period of probation.
23

24 Violation of any terms of probation shall constitute a basis for the Commission to revoke
25 Herigstad's license, after first providing to Herigstad notice and opportunity for hearing.
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30
31 Dated this 19th day of May, 1999.
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33 TEACHER STANDARDS AND PRACTICES COMMISSION
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36
37 By David V. Myton
38 David V. Myton, Executive Director
39
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DVM/cs