1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
4	In the Matter of the) DEFAULT ORDER OF
5	Educator License of SUSPENSION AND
6 7	FRED M. MORGAN) PROBATION
8	On September 24, 2021, the Teacher Standards and Practices Commission
9	(Commission) issued a Notice of Opportunity for Hearing to Fred M. Morgan (Morgan)
10	in which the Commission charged him with Gross Neglect of Duty and/or Gross
11	Unfitness. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt
12	7021 0350 0000 8183 7827 to the address on file with the Commission. The Notice
13	designated the Commission file as the record for purposes of proving a prima facie case.
14	The Certified Mail was returned to the Commission signed on September 30, 2021. The
15	regular First-Class mail was not returned to the Commission, and assumed delivered.
16	The Notice of Opportunity of Hearing, dated September 24, 2021, and signed by
17	Anthony Rosilez, Executive Director, stated:
18	"IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY
19	PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED
20	UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR
21	REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING,
22	WITHDRAW YOUR REQUEST FOR HEARING, OR IF YOU FAIL TO APPEAR
23	AT A HEARING, OR NOTIFY THE COMMISSION THAT YOU WILL NOT
24 25	APPEAR AT HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF
25 26	YOUR LICENSE OR OTHER DISCIPLINE."
20 27	TOUR LICENSE OR OTHER DISCIPLINE.
28	On October 2, 2021, Morgan requested a hearing. On March 15, 2022, Morgan notified
29	the Commission he was rescinding his right to a hearing and his intent was to default.
30	The Commission, therefore, finds Morgan to be in default and enters the following
31	findings of fact, conclusions of law, and final order, based on the files and records of the
32	Commission concerning this matter.
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34	FINDINGS OF FACT
35	1. The Commission has licensed Morgan since August 30, 1993. Morgan holds a
36	Principal License, with an endorsement in Principal (PK-12), valid from April 3,

2019, through April 2, 2022. During all relevant times, Morgan was employed by the North Wasco County School District (NWCSD).

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2. On May 27, 2021, the Commission received a report from the NWCSD indicating Morgan may have committed an act which constitutes gross neglect of duty. Specifically, the District reported that on April 2, 2021, Morgan carried out his duties under the influence of alcohol at an away high school football game.

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3. Investigation determined that on March 11, 2021, Morgan engaged in a telephone conversation, from his home, with a patron regarding duties related to his position as the District's athletic director. On March 15, 2021, the patron reported to the District that during the telephone call on March 11, 2021, the patron believed Morgan was under the influence because his speech was slurred, and he asked the patron repeated questions which had already been answered by the patron during the conversation or earlier in the school day. On March 17, 2021, the District received a complaint from another patron reporting that while the patron was attending a high school athletic event and talking with the Morgan, Morgan's speech appeared abnormal. The patron thought Morgan was possibly under the influence because Morgan elongated syllables, repeated himself and talked louder than normal. The District investigated these incidents and in his interview, Morgan admitted to having consumed alcohol prior to the telephone conversation with the patron. On April 1, 2021, the District gave Morgan a letter of direction. The letter directed that if Morgan was engaged in his duties at school and unable to perform them in a clear and professional manner, he needed to inform his supervisor. It also directed that occasionally after the school day, Morgan might engage in communications related to his duties and he needed to perform them in a clear and professional manner.

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4. Investigation determined that on April 2, 2021, at approximately 3:30 PM, Morgan and several District employees met at a local pub in The Dalles to celebrate several birthdays. Within minutes of arriving at the pub, an athletic trainer texted Morgan with a request for Morgan to bring cases of water for The

Dalles High School football team, which was playing an away game in Hood River, OR. Morgan said he did not initially see the text. While at the pub, Morgan consumed three (3) pints of beer and three (3) shots of whiskey. Morgan remained at the pub until approximately 5:30 PM. At some point just prior to or just after departing the pub, Morgan claimed to see the text. Morgan drove his personal vehicle to Hood River.

At Hood River, Morgan purchased cases of water for the football team at a local store and proceeded to deliver the water to the team at the Hood River Valley High School stadium. While at the stadium, Morgan spoke with his principal and two contracted medical trainers. Morgan watched the remainder of the game from the field. Witnesses reported they observed Morgan was anxious, restless, unfocused, having bloodshot eyes, slowed speech, and he had an odor of alcoholic emanating from his person.

On April 5, 2021, the principal contacted the District to report Morgan's behavior at the football game. On April 8, 2021, the District placed Morgan on administrative leave pending further investigation. On April 21, 2021, Morgan signed a return to work agreement which required him to undergo an assessment. On May 26, 2021, Morgan was given a letter of reprimand and a three-day, unpaid suspension for violating District policy related to being under the influence on duty. On May 26, 2021, Morgan was also given a letter of expectation on returning to work. At an unknown date after May 26, 2021, Morgan tendered his resignation effective June 30, 2021.

CONCLUSIONS OF LAW

Fred M. Morgan's conduct described above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (Use professional judgment), OAR 584-020-0025(2)(e) (Using district lawful and reasonable rules and regulations); and OAR 584-020-0040(4)(g) (Appearing on duty or at any district-sponsored activity while under the influence of alcohol or any controlled substance).

1	The Commission's authority to impose discipline in this matter is based upon
2	ORS 342.175.
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4	FINAL ORDER
5	The Commission adopts and incorporates herein the above findings of fact and
6	conclusions of law, and based thereon, imposes a thirty (30) day suspension upon Fred
7	M. Morgan's Oregon educator license.
8	Furthermore, the Commission imposes a period of two (2) years of probation
9	upon Morgan's licensure to commence upon successful reinstatement of Morgan's
10	Oregon educator license and subject to the following condition:
11	1. Morgan shall comply with the Standards for Competent and Ethical Performance
12	of Oregon Educators under Oregon Administrative Rules Chapter 584, Division
13	020.
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15	IT IS SO ORDERED THIS 1/8 day of March, 2022.
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17	TEACHER STANDARDS AND PRACTICES COMMISSION
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	By: J. Rosilez Dr. Anthony Rosilez, Executive Director
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20	D1. Anthony Roshez, Executive Director
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22	NOTICE OF APPEAL OR RIGHTS
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24	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
25	BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE
26	SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF
27	ORS 183.482 TO THE OREGON COURT OF APPEALS.