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BEFORE THE TEACHIS STANDARDS AND PRACTICES COMMISSION
OF THE STATE OF OREGON

In the Matter of the) STIPULATION OF FACTS AND
Educator License of) FINAL ORDER OF SUSPENSION
STACY M. NELSON) AND PROBATION

On January 30, 2019, the Teacher Standards and Practices Commission (Commission) received a report from the Klamath County School District (District) indicating Stacy M. Nelson (Nelson) may have committed an act of gross neglect of duty and/or gross unfitness, specifically, that Nelson was under the influence of intoxicants at her assigned place of duty.

After review of the matters alleged, Nelson and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts, the imposition of a thirty (30) day suspension, and a three (3) year period of probation.

This Order sets forth the facts upon which the parties have agreed and the sanction to be imposed. Nelson stipulates that there are sufficient facts contained in the Commission’s files and records to support the findings of fact and conclusions of law set forth below. In entering into this stipulation, Nelson waives the right to a notice of opportunity for a hearing, and the right to a hearing to contest the findings of fact, conclusions of law and order set forth below.

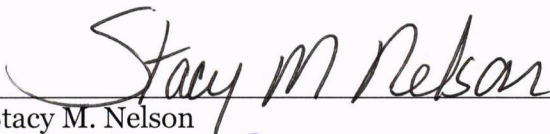
By signing below, Nelson acknowledges, understands, stipulates, and agrees to the following: (i) she has been fully advised of her rights to notice and a hearing to contest the findings of fact, conclusions of law, and order set forth below, and fully and finally waives all such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Suspension and Probation (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to the public upon request by the Commission; (iii) this Stipulation and Final Order is contingent upon and subject to approval and adoption by the Commission. If the Commission does not approve and adopt this Stipulation and Final Order, then neither Nelson nor the Commission are bound by the terms herein; (iv) she has fully read this Stipulation and Final Order, and understands it completely; (v) she voluntarily, without any force or duress, enters into this Stipulation and Final Order and consents to issuance and entry of the Stipulated Final Order below; (vi) she states that no promise or representation has been made to induce her to sign this Stipulation and Final Order; and

1 (vii) she has consulted with an attorney regarding this Stipulation and Final Order and
2 has been fully advised with regard to her rights thereto, or waives any and all rights to
3 consult with an attorney prior to entering into this Stipulation and Final Order and
4 issuance and entry of the Stipulated Final Order below.

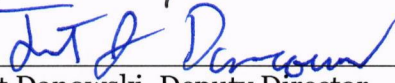
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6 **STIPULATION OF FACTS**

- 7 1. The Commission has licensed Nelson since August 30, 2002. Nelson's Restricted
8 Substitute Teaching License, with endorsements in Substitute Any Specialty (PK-
9 12), was valid from April 21, 2018, through June 30, 2019. On July 14, 2019,
10 Nelson made application for renewal of her licensure. Nelson's application was
11 pending, awaiting the final outcome of the investigation. During all relevant times,
12 Nelson was employed by the Klamath County School District.
- 13 2. On January 30, 2019, the Commission received a report from the Klamath
14 County School District indicating Nelson may have committed an act of gross
15 neglect of duty and/or gross unfitness. Specifically, that on January 24, 2019,
16 Nelson reported to Peterson Elementary School and began teaching students
17 while under the influence of alcohol.
- 18 3. A District investigation determined that on January 17, 2019, after receiving
19 information that Nelson was teaching under the influence of alcohol at school,
20 Nelson met with District staff who observed Nelson's eyes were bloodshot and
21 Nelson smelled of alcohol. Nelson voluntarily submitted to a breathalyzer test,
22 the result of which was a .189 blood alcohol content. Nelson was offered a last
23 chance agreement, which she accepted.
- 24 4. In a subsequent Commission investigation, Nelson admitted to consuming
25 alcohol on January 24, 2019, up until walking to school to teach.
- 26 5. On September 18, 2019, Nelson voluntarily admitted herself into a residential
27 treatment center and on October 18, 2019, she completed an alcohol treatment
28 program. Nelson continues to participate in a recovery support program.

29 IT IS SO STIPULATED:

30 
31 _____
32 Stacy M. Nelson

30 5-11-20
31 _____
32 Date

33 
34 _____
35 Trent Danowski, Deputy Director
36 Teacher Standards and Practices Commission

33 5/21/2020
34 _____
35 Date

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CONCLUSION OF LAW

The 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 alcohol or any controlled substance*).

The Commission’s authority to impose discipline in this matter is based upon ORS 342.175.

ORDER

The Commission adopts and incorporates herein the above findings of fact and conclusions of law, and based thereon, imposes a thirty (30) day suspension upon Stacey M. Nelson’s Oregon educator license.

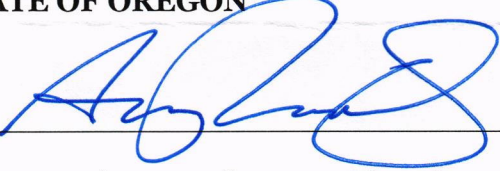
Furthermore, the Commission imposes a period of three (3) years of probation upon Nelson’s licensure to commence from the date this order is signed by the Commission and subject to the following condition:

- 1. Nelson shall comply with the Standards for Competent and Ethical Performance of Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020.

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Issued and dated this 23 day of June, 2020.

**TEACHER STANDARDS AND PRACTICES COMMISSION
STATE OF OREGON**

By 

Dr. Anthony Rosilez, Executive Director