

1 advised with regard to her rights thereto, or waives any and all rights to consult with an
2 attorney prior to entering into this Stipulation and Final Order and issuance and entry of
3 the Stipulated Final Order below.

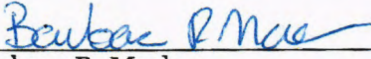
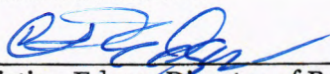
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5 **STIPULATION OF FACTS**
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- 7 1) The Commission has licensed Markee since July 25, 1991. Markee holds a
8 Professional Teaching License, with endorsements in Standard Reading (O18)
9 Standard Social Studies (O20) Basic Language Arts (O20), Reading intervention
10 (PK-12), and English Language Arts (PK-12), valid from July 25, 2019, through
11 June 4, 2024. During all relevant times, Markee was employed by the
12 McMinnville School District (MSD).
13
- 14 2) On April 28, 2022, the Commission received a School District Misconduct Report
15 from the MSD indicating Markee may have committed acts which constitute
16 gross neglect of duty and / or gross unfitness. The report alleged that Markee was
17 at work for the MSD under the influence of alcohol on April 13, 2022.
18
- 19 3) According to MSD records, Markee reported for work on April 13, 2022 at
20 Duniway Middle School (DMS). DMS staff noticed that Markee's behavior
21 seemed off and reported that she was exhibiting slow response and staff believed
22 she might be having a stroke. Emergency medical services were contacted, and an
23 ambulance arrived on scene at DMS. It was reported that Markee refused medical
24 transport to the hospital via ambulance, and instead opted to go home. MSD staff
25 discovered a coffee cup of vodka on Markee's desk, and bottle of vodka in a bag
26 under her desk. Upon Markee's return to work, she met with DHS administration
27 and admitted that she had been under the influence on April 13, 2022 and
28 reported that she is an alcoholic. Additionally, Markee reported that she had
29 entered into an alcohol treatment program. On April 20, 2022, as a result of
30 Markee's cooperation with the district, as well as her admission about drinking,
31 Markee was given a Letter of Reprimand and given a 1-day suspension without
32 pay. Markee returned to work on May 18, 2022 without incident.

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4) On November 21, 2022 Markee participated in a telephonic interview with TSPC investigative staff in the presence of her attorney, Martin Dolan. During the interview Markee admitted that she had been under the influence of alcohol on April 13, 2022 and reported that she is an alcoholic that is currently in recovery after completing alcohol treatment. Markee reported that in the time frame leading up to April 13, 2022 she had been going through a tough time personally as well as professionally along with coping with all of the stressors of COVID. Markee reported that she was both “sorry and mortified” that this happened. Markee also stated that she has been teaching for 22 years and didn’t want anything to threaten her career or the profession. Markee reported that the district has been supportive of her and expressed that she is grateful that no students were involved in this situation.

IT IS SO STIPULATED:

	<u>6/6/2023</u>
Barbara R. Markee	Date
	<u>6/9/23</u>
Cristina Edgar, Director of Professional Practices	Date
Teacher Standards and Practices Commission	

CONCLUSION OF LAW

The conduct described in sections two (2) and (3) 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*).

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

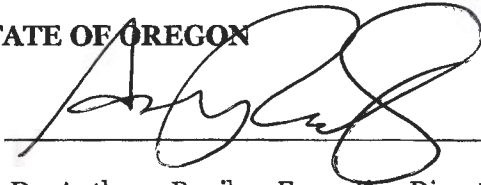
ORDER

1 The Commission adopts and incorporates herein the above findings of fact and
2 conclusions of law, and based thereon, imposes a Public Reprimand and two (2) years
3 probation upon Barbara R. Markee's Oregon educator license.

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5 Issued and dated this 21 day of June, 2023.

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

8
9 By _____



10 Dr. Anthony Rosilez, Executive Director