## 1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON 3 In the Matter of the STIPULATION OF FACTS 4 5 **Teaching License of** FINAL ORDER OF ABE CHE LOPEZ 6 7 On or about October 17, 2008, the Teacher Standards and Practices Commission 8 (Commission) received a report from the Superintendent of the Sherman County School District, 9 indicating that Abe Che Lopez may have engaged in gross neglect of duty in connection with a 10 citation for possession of marijuana. 11 After review of the matters alleged, Mr. Lopez and the Commission agree that their 12 respective interests, together with the public interest, are best served by a stipulation to certain 13 facts and the imposition of a six-month suspension. 14 By signing below, Mr. Lopez acknowledges, understands, stipulates, and agrees to the 15 following: (i) he has been fully advised of his rights to notice and a hearing to contest the 16 findings of fact, conclusions of law, and order set forth below, and fully and finally waives all 17 such rights and any rights to appeal or otherwise challenge this Stipulation of Facts, Order of 18 Suspension (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public 19 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 20 21 Commission does not approve and adopt this Stipulation and Final Order, then neither Mr. 22 Lopez nor the Commission are bound by the terms herein; (iv) he has fully read this Stipulation 23 and Final Order, and understands it completely; (v) he voluntarily, without any force or duress, 24 enters into this Stipulation and Final Order and consents to issuance and entry of the Stipulated 25 Final Order below; (vi) he states that no promises or representation has been made to induce 26 him to sign this Stipulation and Final Order; and (vii) he has consulted with an attorney

regarding this Stipulation and Final Order and has been fully advised with regard to his rights

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

## 3 STIPULATION OF FACTS

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- The Commission has licensed Mr. Lopez since March 23, 2006. Mr. Lopez currently
   holds an Initial I Teaching License that expires on November 30, 2010.
  - 2. On March 3, 2006, Mr. Lopez signed a stipulated agreement with the Commission that imposed a public reprimand and 4-years probation. The terms of the agreement required Mr. Lopez to report in writing within ten days to the Executive Director of the Commission any arrest or citation for any felony, misdemeanor, major traffic violation or violation of criminal probation. On or about March 23, 2006, the Commission issued Mr. Lopez a Transitional Teaching License subject to the terms of this stipulated agreement.
    - 3. On October 13, 2008, Mr. Lopez was cited for possession of less than one ounce of marijuana.
    - 4. Mr. Lopez did not report this citation to the Commission.
  - 5. On October 15, 2008, during a meeting with Sherman County School District Administrators, Mr. Lopez offered three different stories regarding how the marijuana came into his possession. Although police witnessed Mr. Lopez ingesting marijuana and found marijuana on his shirt during a traffic stop, Mr. Lopez denied ingesting the marijuana and suggested the leafy substance was lettuce.
    - 6. On February 10, 2008, during an investigative interview with the Commission, Mr. Lopez stated that he found the marijuana and intended to take the drugs to the police station when he was pulled over and cited for possession of marijuana. Mr. Lopez denied consuming the marijuana in any form. However, police on scene observed evidence that Mr. Lopez ate marijuana and evidence that Mr. Lopez smoked marijuana.

1	IT IS SO STIPULATED:	
2 3 4	<u>Obe</u> 3/10  Abe C. Lopez    10/3/10	
5 6 7 8	Abe C. Lopez  Date    Julian	
9	CONCLUSION OF LAW	
10	1. Mr. Lopez's conduct described in paragraph 3 constitutes gross neg	glect of duty in
11	violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(o) as it incompared to the contract of the	porates OAR
12	584-020-0035(3)(a) (Maintain the dignity of the profession by respe	cting and obeying
13	the law, exemplifying personal integrity and honesty).	
14	2. Mr. Lopez's conduct described in paragraph 4 constitutes gross neg	glect of duty in
15	violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(k) (Knowing	violation of any
16	order or rule of the Commission).	
17	3. Mr. Lopez's conduct described in paragraph 5 constitutes gross ne	glect of duty in
18	violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(c) (Knowing	falsification of
19	any document or knowing misrepresentation directly related to licer	nsure,
20	employment, or professional duties).	
21	4. Mr. Lopez's conduct described in paragraph 6 constitutes gross ne	glect of duty in
22	violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(c) (Knowing	falsification of
23	any document or knowing misrepresentation directly related to licer	nsure,
24	employment, or professional duties).	

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2	ORDER
3	Based on the foregoing, the Initial I Teaching License of Abe C. Lopez is suspended for
4	six months from the date of this order.
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6	Issued and dated this day of November, 2010
7	TEACHER STANDARDS AND PRACTICES COMMISSION
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9	By: Julia (hamberlain)
10	Victoria Chamberlain, Executive Director