

1
BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
OF THE STATE OF OREGON

3 In the Matter of the) STIPULATION OF FACTS,
4 Teaching License of) FINAL ORDER OF REPRIMAND
5 MICHAEL ALAN ENGBRETSON) AND PROBATION

6 On September 22, 2005, the Teacher Standards and Practices Commission
7 (Commission) received a report from Craig Brewington, Superintendent, Warrenton-Hammond
8 School District indicating that Michael Alan Engebretson (Engebretson) was arrested on
9 September 18, 2005, for First Degree Burglary, Criminal Mischief and Theft in Warrenton,
10 Oregon.

11 After review of the matters alleged, Mr. Engebretson and the Commission agree that
12 their respective interests, together with the public interest, are best served by a stipulation to
13 certain facts and a four (4) year probation.

14 This document sets forth the facts upon which the parties have agreed and the
15 stipulated sanction to be imposed. Mr. Engebretson stipulates that there is sufficient evidence
16 in the Commission's files and records to support the findings of fact, conclusions of law, and
17 order set forth below.

18 By signing below, Mr. Engebretson acknowledges, understands, stipulates, and agrees
19 to the following: (i) he has been fully advised of his rights to notice and a hearing to contest the
20 findings of fact, conclusions of law, and order set forth below, and fully and finally waives all
21 such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final
22 Order of Suspension of Right to Apply (Stipulation and Final Order); (ii) this Stipulation and Final
23 Order is a public document and disclosed to the public upon request by the Commission;
24 (iii) this Stipulation and Final Order is contingent upon and subject to approval and adoption by
25 the Commission. If the Commission does not approve and adopt this Stipulation and Final
26 Order, then neither Mr. Engebretson nor the Commission are bound by the terms herein; (iv) he
has fully read this Stipulation and Final Order, and understands it completely; (v) he voluntarily,

1 without any force or duress, enters into this Stipulation and Final Order and consents to
2 issuance and entry of the Stipulated Final Order below; (vi) he states that no promises or
3 representation has been made to induce him to sign this Stipulation and Final Order; and (vii) he
4 has consulted with an attorney regarding this Stipulation and Final Order and has been fully
5 advised with regard to his rights thereto, or waives any and all rights to consult with an attorney
6 prior to entering into this Stipulation and Final Order and issuance and entry of the Stipulated
7 Final Order below. Mr. Engebretson understands that the probation will be subject to specific
8 terms and conditions.

9 **STIPULATION OF FACTS**

10 1. The Commission has licensed Michael Alan Engebretson since September 7, 1995.
11 Mr. Engebretson currently holds a Basic Teaching License valid December 27, 2005, through
12 December 26, 2008, with an endorsement in Basic Physical Education.

13 2. Mr. Engebretson began his employment with the Warrenton-Hammond School
14 District in September of 1995. He is currently serving as a Physical Education teacher at
15 Warrenton Grade School.

16 3. On December 12, 2005, Mr. Engebretson pled no contest and was convicted of
17 Criminal Trespass 1, related to a domestic dispute, in Clatsop County Circuit Court, all other
18 charges connected to the September 18, 2005, arrest were dismissed. The Court suspended
19 imposition of sentence, placed Mr. Engebretson on Supervised Probation for a period of 18
20 months and ordered him not to use or possess alcoholic beverages.

21 4. On April 19, 2006, Mr. Engebretson was convicted of Driving Under the Influence of
22 Intoxicants in the Clatsop County Circuit Court. The Court suspended Mr. Engebretson's
23 Oregon Driver License for one year, suspended imposition of sentence and placed Mr.
24 Engebretson on 18 months probation with standard alcohol conditions.

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1 5. On January 18, 2006, Mr. Engebretson completed a chemical dependency treatment
2 program at Pacific Ridge and is currently pursuing aftercare treatment with Addictions and
3 Family Counseling in Gearhart.

4 6. Mr. Engebretson recognizes that he has an alcohol dependency problem.

5 **IT IS SO STIPULATED AND AGREED TO:**

6 Michael Alan Engebretson
7 Michael Alan Engebretson

9/25/06
Date

8 Victoria Chamberlain
9 Victoria Chamberlain, Executive Director
10 Teacher Standards and Practices Commission

9-13-06
Date

11 **CONCLUSIONS OF LAW**

12 Michael Alan Engebretson's alcohol related criminal convictions and criminal conduct
13 constitute Gross Unfitness as defined in OAR 584-020-0040(5)(c) and OAR 584-020-
14 0040(5)(e). This misconduct constitutes Gross Unfitness. The Commission has the authority to
15 impose discipline in this matter under ORS 342.120 through 342.430 and OAR Chapter 584.

16 **FINAL ORDER**

17 The Commission hereby adopts and incorporates herein the above findings of fact,
18 conclusions of law, and based thereon hereby imposes a Public Reprimand upon Mr.
19 Engebretson. The Stipulation of Facts, Final Order and Probation constitutes the Reprimand.

20 Furthermore, the Commission imposes a four (4) year probation upon Mr. Engebretson
21 to commence the date of adoption of this order and subject to the following terms and conditions
22 of probation:

23 1. Mr. Engebretson shall, at his own initiative and expense, continue to obtain treatment
24 for his alcohol dependency as recommended by his alcohol treatment provider and abstain from
25 the consumption of alcohol;

26 2. During the period of this probation, Mr. Engebretson shall submit to the Executive
27 Director of the Commission reports of his compliance with the aftercare treatment plan. Mr.

1 Engebretson shall provide these reports every six (6) months during his probation, on or before:
2 May 3, 2007; November 3, 2007; May 3, 2008; November 3, 2008; May 3, 2009; November 3,
3 2009; May 3, 2010; and November 3, 2010;

4 3. Mr. Engebretson shall report in writing within ten days to the Executive Director of the
5 Commission any arrest or citation for any felony, misdemeanor, major traffic violation or
6 violation of criminal probation; and

7 4. Mr. Engebretson shall comply with the Standards for Competent and Ethical
8 Performance of Oregon Educators under Oregon Administrative Rules Chapter 584, Division
9 020.

10 Violation of any term or condition of probation shall constitute an independent basis for
11 the Commission to revoke Mr. Engebretson's teaching license or otherwise impose discipline,
12 after first providing Mr. Engebretson with notice and opportunity for hearing.

13 Issued and dated this 3 day of November, 2006.

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

16 By 
17 Victoria Chamberlain, Executive Director
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19 Approved as to form:

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21 John S. Bishop OSB# 89022
22 Attorney for Michael Alan Engebretson

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