

1 6. Kapsch has complied with all conditions imposed by the court, has paid all of the
3 assessments and fines involved with the diversion and has attended "Dope Talk." She
4 is scheduled to complete the remaining group counseling requirements of the diversion
program on or before December 31, 1997.

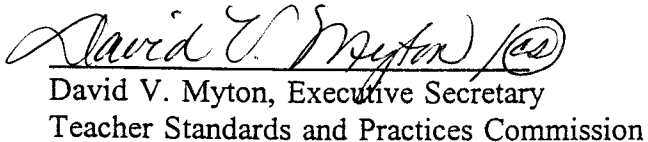
5 7. Kapsch reported the convictions on Application Form C-1 and provided the required
6 explanation and copies of the court documents.

7 This Stipulation and the Proposed Order of Probation are contingent upon approval by the full
8 Commission at the Commission's next meeting. If the Commission does not approve this
9 Stipulation, the matter will be returned for a hearing and neither Kapsch nor the Commission
10 shall be bound by any matters in this Stipulation. The parties acknowledge that upon
11 execution of this Stipulation, the Commission will enter into an Order placing Emily Lynn
12 Kapsch on Probation for a period of two years from the date of this Stipulation and with the
13 conditions of probation set forth in the order below.

14 IT IS SO STIPULATED:

15 
16 Emily Lynn Kapsch

9/25/97
Date

17 
18 David V. Myton, Executive Secretary
19 Teacher Standards and Practices Commission

10/3/97
Date

20 ULTIMATE FINDINGS OF FACT

21 On March 27, 1997, Emily Lynn Kapsch was convicted of the misdemeanor crimes of
22 Driving Under the Influence of Intoxicants and Possession of Less Than One Ounce of
23 Marijuana in Multnomah County District Court. She was provided a diversion program for
24 the DUII and permitted to attend Dope Talk in lieu of a fine for possession of less than one
25 ounce of marijuana.

26 CONCLUSIONS OF LAW

27 Emily Lynn Kapsch's conviction for Driving Under the Influence of Intoxicants and
28 Possession of Marijuana constitute grounds for denial of licensure under ORS 342.143 and
29 OAR 584-20-040 (5).

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ORDER

The Commission imposes a period of probation on the Basic Teaching License of Emily Lynn Kapsch from the date of this Stipulation and for two years thereafter.

The probationary status is subject to the following conditions:

a) Kapsch shall conduct herself as a law abiding citizen.

b) Kapsch shall report in writing within 10 days to the Executive Secretary of the Commission any arrests or citations she receives for any felony, misdemeanor, or major traffic violation.

c) Kapsch shall comply with the Standards for Competent and Ethical Performance of Oregon Educators under OAR 584, Division 20.

Violation of any of the terms of probation shall constitute an independent basis for the Commission to review Kapsch's fitness to serve as an educator and may constitute grounds to impose other discipline after first providing Kapsch with notice and an opportunity for hearing.

Dated this 3rd day of October, 1997.

TEACHER STANDARDS AND PRACTICES COMMISSION

By: David V. Myton /cs
David V. Myton, Executive Secretary

DVM/cs

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CERTIFICATE OF MAILING

I hereby certify that I served the foregoing order by mailing a true copy thereof certified by me as such by U. S. First Class Mail and U.S. Certified Mail with Return Receipt Requested to:

EMILY LYNN KAPSCH
616 NE FARGO #303
PORTLAND OR 97212

Dated this 3rd day of October, 1997.

By: Charlene A. Smith
Charlene A. Smith
Secretary to the Commission