2	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON		
3 4 5	In the Matter of the) STIPULATION OF FACTS Teaching License of) AND ABE C. LOPEZ) ORDER OF PROBATION		
6	On August 9, 2005, Abe C. Lopez (Lopez) submitted an application for a Initial Teaching		
7	License to the Teacher Standards and Practices Commission (Commission). Mr. Lopez		
8	responded affirmative to character questions 1, 2, 3, 8, 10 and 11. Mr. Lopez included a "Notice		
9	of Disclosure" as an explanation to his responses.		
10	After review of the matters alleged, Mr. Lopez and the Commission agree that their		
11	respective interests, together with the public interest, are best served by a stipulation to certain		
12	facts and a four (4) year probation. This Order sets forth the facts upon which the parties have		
13	agreed and the sanction to be imposed. Mr. Lopez stipulates that there are sufficient facts		
14	contained in the Commission's files and records to support the findings of fact and conclusions		
15	of law set forth below. In entering into this stipulation, Mr. Lopez waives the right to a hearing to		
16	contest the findings of fact, conclusions of law and order set forth below. Mr. Lopez		
17	understands the the probation will be subject to specific terms and conditions.		
18	Mr. Lopez enters into this Stipulation of Facts with the knowledge that the Commission		
19	shall place him on probation for a period of four (4) years. This Stipulation is contingent upon		
20	approval and adoption of the Order by the full Commission. If the Commission does not adopt		
21	this Order, neither Mr. Lopez nor the Commission are bound by these stipulations and Mr.		
22	Lopez retains the right to a hearing on the allegations.		
23	STIPULATION OF FACTS		
24	1. On August 9, 2005, the Commission received an Application for Educator License		
25	Form C-1 requesting a Transitional Teaching License from Mr. Lopez. Mr. Lopez responded		
26	affirmative to character questions 1, 2, 3, 8, 10 and 11. Mr. Lopez included a "Notice of		
27	Disclosure" as an explanation to his responses.		

1 STIPULATION OF FACTS, ORDER OF REPRIMAND AND PROBATION - LOPEZ

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	2	Lopez was arrested again in 2004 for Spousal Abuse while still on probation for the 2001 arrest				
	3	and conviction. On July 30, 2004, Mr. Lopez surrendered himself to the court to serve sentence				
	4	for the 2004 conviction and probation violation on 2001 conviction. The 2001 conviction has				
	5	since been expunged. Mr. Lopez is still on court probation on the 2004 conviction. The arrest				
	6	6 for both abuses was handled by the Superior Court of California County of Los Angeles.				
	7	Lopez was ordered by the court 36 months probation, fined and 52 weeks of anger				
	8	management counseling.				
	9	CONCLUSION OF LAW				
	10	Abe C. Lopez' criminal conviction and criminal conduct constitute Gross Unfitness as				
	11	defined in OAR 584-020-0040(5)(c) and OAR 584-020-0040(5)(e). Criminal convictions and				
	12	criminal conduct, even in the absence of conviction, may be used as evidence to establish an				
_	13	applicant's lack of fitness to serve as an educator pursuant to OAR 584-050-0006. The				
Į.	14	Commission's authority to impose discipline in this matter is based upon ORS 342.143 and				
	15	ORS 342.175.				
	16	IT IS SO STIPULATED:				
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	18 19	<u>Obl M 143</u> Abe C. Lopez <u>3/3/06</u> Date				
	20	Sale Date				
	21	Thelow handerlain 3-10-06				
	22 23	Victoria Chambenain Executive Director Date Teacher Standards and Practices Commission				
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2. Mr. Lopez was arrested in 2001 for Spousal Abuse, he admits guilt in court. Mr.

2 STIPULATION OF FACTS, ORDER OF REPRIMAND AND PROBATION - LOPEZ

1	ORDER
2	The Commission adopts the above stipulation of facts and authorizes the issuance of a
3	Transitional Teaching License to Mr. Lopez subject to all standard terms and conditions.
4	Furthermore, the Commission imposes a four (4) year probation upon Mr. Lopez to
5	commence the date of issuance of said license and subject to the following special terms and
6	conditions of probation:
7	1. Mr. Lopez shall within the first six months of probation, on or before September 5,
8	2006, provide a copy of the anger management treatment plan and aftercare plan as prescribed
9	by the treatment provider;
10	2. Mr. Lopez shall, at his own initiative and expense, continue to obtain treatment for
11	anger management as recommended by his treatment provider;
12	3. During the period of his probation, Mr. Lopez shall submit to the Executive Director of
13	the Commission reports of his compliance with the aftercare treatment plan. Mr. Lopez shall

4. Mr. Lopez shall conduct himself as a law-abiding citizen;

September 5, 2008; and March 5, 2009.

5. Mr. Lopez shall 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; and

provide these reports every six (6) months during his probation, on or before: September 5,

2006; March 5, 2007; September 5, 2007; March 5, 2008; September 5, 2008; March 5, 2009;

- 6. Mr. Lopez shall comply with the Standards for Competent and Ethical Performance of Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020.
- Violation of any term or condition of probation shall constitute an independent basis for the Commission to revoke Mr. Lopez' teaching license or otherwise impose discipline, after first

3 STIPULATION OF FACTS, ORDER OF REPRIMAND AND PROBATION - LOPEZ

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1	providing Mr. Lopez with notice and opportunity for hearing.	
2	IT IS SO ORDERED this D day of March, 2006.	
3	TEACHER STANDARDS AND PRACTICES COMMISSION	
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5 6	By	[022006]
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4 STIPULATION OF FACTS, ORDER OF REPRIMAND AND PROBATION -- LOPEZ