

1 STATE OF OREGON

2 TEACHER STANDARDS AND PRACTICES COMMISSION

3 In the Matter of the
4 Teaching License of
5 ELAINE KRIEGER

STIPULATION AND ORDER

6 On or about December 2, 1997, the Teacher Standards and Practices Commission
7 (Commission) issued a Notice of Opportunity for hearing to Elaine Krieger (Krieger) in which
8 the Commission proposed to take disciplinary action against Krieger under ORS 342.177. The
9 basis for the proposed action was Krieger's alleged misconduct as a teacher.

10 The Commission and Krieger have now reviewed the matters alleged and have agreed that
11 their respective interests, together with the public interest, are best served by entering this
12 Stipulated Order and Findings of Fact. In entering these stipulations, Krieger waives her right to
13 a hearing. This agreement sets forth the facts upon which the parties have agreed including the
14 Commission's order of revocation of Krieger's reinstatement rights.

15 FINDINGS OF FACT

16 1. Krieger held a valid basic teaching license with a severely handicapped learner
17 endorsement, valid until October 1, 1998.

18 2. Krieger worked for many years for the McMinnville School District in the high
19 school Life Skills Department. She worked with severely disabled students. Part of her duties
20 included assisting students who were learning to self-feed and other functions.

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1 3. Complaints were filed against Krieger that she had used unnecessary physical
2 force with her students, including force-feeding a student who could not self-feed and hurrying a
3 student with a physical mobility limitation. Krieger was also accused of being unduly rough
4 with a student when removing a purse from around a student's neck who was disobeying
5 classroom rules by wearing a purse to class.

6 4. Krieger was issued two reprimands for the conduct described in paragraph 3 and
7 was given notice that she would be placed on a plan of assistance. On or about January 10, 1997,
8 Krieger requested an extended medical leave. She resigned from her teaching position on
9 June 6, 1997.

10 5. Krieger's conduct became the subject of an investigation by the District Attorney
11 in Yamhill County. Krieger was eventually indicted on charges of criminal mistreatment related
12 to her treatment of students. On or about April 5, 1999, she entered into a diversion agreement
13 which specified that Krieger would surrender her teaching license and initiate no action to renew
14 her teaching license in the future, either in Oregon or any other state.

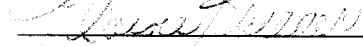
15 6. The Diversion Agreement specifically provides: "The entry into and the
16 completion of this Diversion Agreement shall not be construed to be an admission of guilt nor an
17 admission of fact or of liability."

18 Krieger enters into this Stipulation of Facts with the knowledge that the Commission will
19 adopt an order revoking her reinstatement rights. This Stipulation is contingent upon the
20 approval and adoption of the Order by the Commission. If the Commission does not adopt this
21 order, neither Krieger nor the Commission are bound by these stipulations and she retains all
22 rights to a hearing on the allegations.

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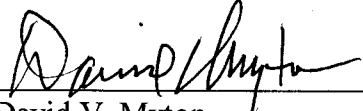
1 IT IS SO STIPULATED:

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3 
Elaine Krieger

6-30-99
Date

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5 
David V. Myton
6 Executive Director

7/13/99
Date

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CONCLUSIONS OF LAW

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The conduct described in the Findings of Fact constitutes violations of OAR 584-020-0040(4).

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ORDER

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Based on the foregoing Stipulations it is ordered: Krieger's right to license reinstatement

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is revoked.

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DATE this 7th day of July 1999.

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TEACHER STANDARDS AND PRACTICES COMMISSION

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By: David V. Myton, Executive Director

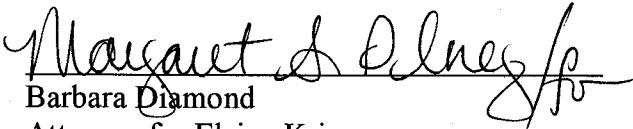
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Approved to form:

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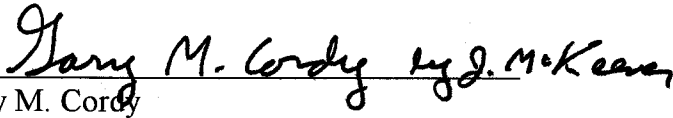
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Barbara Diamond
Attorney for Elaine Krieger

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Gary M. Cordy
23 Attorney for TSPC

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