## 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 ) ORDER OF SUSPENSION NANCY CHRISTINE VAN ROOY ) AND PROBATION
6	On March 14, 2005, the Teacher Standards and Practices Commission (Commission)
7	received a report from Portland Public Schools indicating that Nancy Christine Van Rooy
8	(Van Rooy) may have violated standards required of teachers by being in the classroom under
9	the influence of alcohol.
10	On May 6, 2005, the Commission issued a Notice of Opportunity for Hearing to
11	Ms. Van Rooy in which the Commission proposed to take disciplinary action against her
12	pursuant to ORS 342.175 through ORS 342.190. On May 10, 2005, Ms. Van Rooy requested a
13	hearing through her attorney, Margaret S. Olney.
14	After review of the matters alleged, Ms. Van Rooy and the Commission agree that their
	respective interests, together with the public interest, are best served by a stipulation to certain
16	facts, the imposition of a six (6) month suspension of her licensure followed by a four (4) year
17	probation upon reinstatement of licensure.
18	This Order sets forth the facts upon which the parties have agreed and the sanction to
19	be imposed. Ms. Van Rooy stipulates that there are sufficient facts contained in the
20	Commission's files and records to support the findings of fact and conclusions of law set forth
21	below. In entering into this stipulation, Ms. Van Rooy waives the right to a hearing to contest
22	the findings of fact, conclusion of law and order set forth below. Ms. Van Rooy understands that
23	the probation will be subject to specific conditions.
24	This Stipulation is contingent upon approval and adoption of the Order by the full
25	Commission. If the Commission does not adopt this Order, neither Ms. Van Rooy nor the
26	Commission are bound by these stipulations and Ms. Van Rooy retains the right to a hearing or
	the allegations

1,	STIPULATION OF FACTS
	1. The Commission has licensed Nancy Christine Van Rooy since October 20,
3	1975. The Commission most recently issued Ms. Van Rooy a Standard Teaching License valid
4	June 16, 2005, through June 15, 2010, endorsed in Basic Physical Education, Standard Health
5	Education and Standard Handicapped Learner I.
6	2. On May 9, 2003, the Commission adopted a Stipulation of Facts, Order of Reprimand
7	and Probation disciplining Ms. Van Rooy for a prior alcohol related incident at Portland Public
8	Schools. A term and condition of that four-year Probation required Ms. Van Rooy to abstain
9	from the consumption of alcohol.
10	3. On March 8, 2005, Ms. Van Rooy appeared on duty at Lincoln High School while
11	under the influence of alcohol.
12	4. Ms. Van Rooy served as a teacher for Portland Public Schools beginning on
13	August 27, 1992, until resignation in lieu of termination, effective at the end of the 2004-2005
	school year.
15	IT IS SO STIPULATED:
16 17	Nancy Christine Van Rooy 7-14-05  Nancy Christine Van Rooy  Date
18 19 20	Victoria Chamberlain, Executive Director Teacher Standards and Practices Commission  7-12-05  Date
21	CONCLUSIONS OF LAW
22	Nancy Van Rooy violated OAR 584-020-0040(4)(g) by appearing on duty while under
23	the influence of alcohol on or about March 8, 2005, at Lincoln High School, Portland Public
24	Schools. By engaging in this misconduct Ms. Van Rooy knowingly violated a Commission orde

the influence of alcohol on or about March 8, 2005, at Lincoln High School, Portland Public Schools. By engaging in this misconduct Ms. Van Rooy knowingly violated a Commission order dated May 9, 2003 in violation of OAR 584-020-0040(4)(k). This misconduct constitutes Gross Neglect of Duty. The Commission's authority to impose discipline in this matter is based upon ORS 342.175.

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ORDER

The Commission adopts the foregoing Stipulation of Facts and suspends the Standard Teaching License of Nancy Christine Van Rooy for a period of six (6) months effective on the date this order is adopted by the Commission. At the end of the suspension period, Ms. Van Rooy may apply for reinstatement of her Standard Teaching License.

Furthermore, upon reinstatement of licensure, the Commission imposes a four (4) year probation upon Ms. Van Rooy to commence the date of issuance of said license subject to the following terms and conditions:

- 1. Ms. Van Rooy shall, at her own initiative and expense, continue to obtain treatment for her alcohol dependency as recommended by her alcohol treatment provider and shall abstain from the consumption of alcohol;
- 2. During the period of her probation, Ms. Van Rooy shall submit to the Executive Director of the Commission reports of her compliance with the treatment plan. Ms. Van Rooy shall provide these reports every six (6) months during her probation. The first report due no later than six months from the date of this order;
- 3. Ms. Van Rooy 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
- 4. Ms. Van Rooy shall comply with all Standards for Competent and Ethical Performance of Oregon Educators pursuant to Oregon Administrative Rules, Chapter 584, Division 020.

If Ms. Van Rooy does not comply with her treatment plan based on the reports of her treatment provider or as otherwise determined by the Executive Director, she shall be in violation of the terms of this probation. Violation of the terms of this probation may constitute an independent basis for the Commission to impose discipline, up to and including revocation of

_ '	ivis. Van Rooy's teaching license subject to Ms. Van Rooy's right to a hearing on the issue of
	whether she violated probation.
3	IT IS SO ORDERED this day of August, 2005.
4	TEACHER STANDARDS AND PRACTICES COMMISSION
5 6 7	By <u>Cucha hamberlain</u> , Executive Director
8	Approved as to form:
9 10 11	Margaret Olney OSB#88135
12	Attorney for Nancy Christine Van Rooy (071205)