## 1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON 3 In the Matter of the STIPULATION OF FACTS, 4 Teaching License of FINAL ORDER OF REPRIMAND 5 KRISTIE L. MOEDE AND PROBATION ) 6 On December 3, 2007 the Teacher Standards and Practices Commission (Commission) 7 received a report from Ron Naso, Superintendent, North Clackamas School District indicating 8 that Kristie Moede (Moede) was suspected of being under the influence of alcohol during the 9 workday. 10 Moede fully cooperated with the Commission's investigation in this matter. After review 11 of the matters alleged, Moede and the Commission agree that their respective interests, 12 together with the public interest, are best served by a stipulation to certain facts, the imposition 13 of a public reprimand followed by 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. Moede stipulates that there is sufficient evidence in the 16 Commission's files and records to support the findings of fact, conclusions of law, and order set 17 forth below. 18 By signing below, Moede acknowledges, understands, stipulates, and agrees to the 19 following: (i) she 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 Reprimand and Probation (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 Moede nor the Commission are bound by the terms herein; (iv) she has fully

read this Stipulation and Final Order, and understands it completely; (v) she voluntarily, without

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any force or duress, enters into this Stipulation and Final Order and consents to issuance and
entry of the Stipulated Final Order below; (vi) she states that no promises or representation has
been made to induce her to sign this Stipulation and Final Order; and (vii) she has consulted
with an attorney regarding this Stipulation and Final Order and has been fully advised with
regard to her rights thereto, or waives any and all rights to consult with an attorney prior to
entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final
Order below. Moede understands that the probation will be subject to specific terms and

## STIPULATION OF FACTS

- The Commission has licensed Kristie Moede since October 16, 1991. Moede
   currently holds a Standard Teaching License valid September 9, 2006, through September 8,
   with Basic Physical Education and Standard Health Education endorsements.
- 2. Ms. Moede has been employed by the North Clackamas School District as a full time teacher since 1998 with no previous disciplinary issues.
- 3. On November 6, 2007, Ms. Moede was suspected of being under the influence of intoxicants and asked to submit to a breathalyzer. At approximately 3:30 pm Ms. Moede had a blood alcohol level between 0.037 and 0.041.
- 4. Ms. Moede explained that she returned home at approximately 4am that morning after drinking with friends and did not think she would be affected during the work day.

20 IT IS SO STIPULATED AND AGREED TO:

23 Kristie Moede

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conditions.

Kristie Moede

26 Victoria Chamberlain, Executive Director

Teacher Standards and Practices Commission

Date

Date

1	CONCLUSIONS OF LAW
2	On November 6, 2007 Kristie Moede reported for duty under the influence of alcohol.
3	This conduct constitutes gross neglect of duty in violation of OAR 584-020-0040(4)(g). The
4	Commission has the authority to impose discipline in this matter under ORS 342.120 through
5	342.430 and OAR Chapter 584.
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7	FINAL ORDER
8	The Commission hereby adopts and incorporates herein the above findings of fact,
9	conclusions of law, and based thereon hereby imposes a Public Reprimand upon Ms. Moede.
0	The Stipulation of Facts, Final Order and Probation constitutes the Reprimand.
1	Furthermore, the Commission imposes a four (4) year probation upon Ms. Moede to
2	commence the date of adoption of this order and subject to the following terms and conditions of
3	probation:
4	1. Ms. Moede has submitted documentation that she underwent an alcohol evaluation
5	on December 2, 2007 and continues to seek assistance with alcohol dependence.
16	2. Ms. Moede shall continue with ongoing alcohol treatment as recommended by the
17	evaluator. Ms. Moede shall submit to the Executive Director reports of her compliance with the
18	her treatment plan; such reports shall be submitted every six (6) months, commencing six
19	months from the date of the adoption of this order.
20	3. Ms. Moede shall report in writing within ten days to the Executive Director of the
21	Commission any arrest or citation for any felony, misdemeanor, major traffic violation or
22	violation of criminal probation; and
23	4. Ms. Moede shall comply with the Standards for Competent and Ethical Performance
24	of Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020.

1	Violation of any term or condition of probation shall constitute an independent basis for
2	the Commission to revoke Moede's teaching license or otherwise impose discipline, after first
3	providing Moede with notice and opportunity for hearing.
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5	Issued and dated this $2/1$ day of October, 2008.
6 7	TEACHER STANDARDS AND PRACTICES COMMISSION STATE OF OREGON
8 9 10	By Willow Chamberlain
11	Victoria Chamberlain, Executive Director [071408]