

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

9 **STIPULATION OF FACTS**

10 1. The Commission has licensed Kristie Moede since October 16, 1991. Moede
11 currently holds a Standard Teaching License valid September 9, 2006, through September 8,
12 2011, with Basic Physical Education and Standard Health Education endorsements.

13 2. Ms. Moede has been employed by the North Clackamas School District as a full time
14 teacher since 1998 with no previous disciplinary issues.

15 3. On November 6, 2007, Ms. Moede was suspected of being under the influence of
16 intoxicants and asked to submit to a breathalyzer. At approximately 3:30 pm Ms. Moede had a
17 blood alcohol level between 0.037 and 0.041.

18 4. Ms. Moede explained that she returned home at approximately 4am that morning after
19 drinking with friends and did not think she would be affected during the work day.

20 **IT IS SO STIPULATED AND AGREED TO:**

21 
22 _____
23 Kristie Moede

8/10/08
Date

24 
25 _____
26 Victoria Chamberlain, Executive Director
27 Teacher Standards and Practices Commission

8-04-08
Date

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CONCLUSIONS OF LAW

On November 6, 2007 Kristie Moede reported for duty under the influence of alcohol. This conduct constitutes gross neglect of duty in violation of OAR 584-020-0040(4)(g). The Commission has the authority to impose discipline in this matter under ORS 342.120 through 342.430 and OAR Chapter 584.

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FINAL ORDER

The Commission hereby adopts and incorporates herein the above findings of fact, conclusions of law, and based thereon hereby imposes a Public Reprimand upon Ms. Moede. The Stipulation of Facts, Final Order and Probation constitutes the Reprimand.

Furthermore, the Commission imposes a four (4) year probation upon Ms. Moede to commence the date of adoption of this order and subject to the following terms and conditions of probation:

1. Ms. Moede has submitted documentation that she underwent an alcohol evaluation on December 2, 2007 and continues to seek assistance with alcohol dependence.

2. Ms. Moede shall continue with ongoing alcohol treatment as recommended by the evaluator. Ms. Moede shall submit to the Executive Director reports of her compliance with the her treatment plan; such reports shall be submitted every six (6) months, commencing six months from the date of the adoption of this order.

3. Ms. Moede 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. Moede shall comply with the Standards for Competent and Ethical Performance 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 24th day of October, 2008.

6 **TEACHER STANDARDS AND PRACTICES COMMISSION**
7 **STATE OF OREGON**

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10 By *Victoria Chamberlain*
11 Victoria Chamberlain, Executive Director

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