1	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
2	OF THE STATE OF OREGON
3 4 5 6 7	In the Matter of the Teaching License of  JIMMIE LEE KIRKPATRICK  )  STIPULATION OF FACTS  AND ORDER OF PROBATION )
8	On July 29, 2002, the Teacher Standards and Practices Commission (Commission)
9	received a report from Portland Public Schools indicating that at the District's direction, Jimmie
10	Lee Kirkpatrick (Kirkpatrick) was tested for the use of controlled substances. The test was
11	positive for marijuana.
12	On August 12, 2002, prior to receiving notification from the Commission regarding the
13	district's report, Mr. Kirkpatrick, by and through his attorney Louis Savage, contacted the
14	Commission regarding this matter. Mr. Kirkpatrick fully cooperated with the Commission.
15	After review of the matters alleged, Mr. Kirkpatrick and the Commission agree that their
16	respective interests, together with the public interest, are best served by a stipulation to certain
17	facts. The Commission will impose a four (4) year probation. This Order sets forth the facts
18	upon which the parties have agreed and the sanction to be imposed. In entering into this
19	stipulation, Mr. Kirkpatrick waives the right to a hearing to contest the findings of fact, conclusion
20	of law and order set forth below. Mr. Kirkpatrick understands that the probation and suspension
21	will be subject to specific conditions.
22	STIPULATION OF FACTS
23	1. The Commission has licensed Jimmie Lee Kirkpatrick since November 6, 1981. Mr.
24	Kirkpatrick currently holds a Standard Administrative License, issued September 16, 1999, valid
25	through August 31, 2004, with a Standard Administrator Endorsement.
26	2. Mr. Kirkpatrick has served as a licensed educator and administrator in Oregon for 21
27	years.

	3. On July 1, 2002, Portland Public Schools hired Mr. Kirkpatrick to serve as an
2	administrator. On July 16, 2002, Mr. Kirkpatrick was tested for the use of controlled substances
3	The test was positive for marijuana.
4	4. Mr. Kirkpatrick recognizes that he has a chemical dependency problem. He
5	voluntarily entered a treatment program on September 10, 2002.
6	Jimmie Lee Kirkpatrick enters into this Stipulation of Facts with the knowledge that the
7	Teacher Standards and Practices Commission shall place him on probation for a period of four
8	(4) years. This Stipulation is contingent upon approval and adoption of the Order by the full
9	Commission. If the Commission does not adopt this Order, neither Mr. Kirkpatrick nor the
10	Commission are bound by these stipulations and Mr. Kirkpatrick retains the right to a hearing on
11	the allegations.
12	IT IS SO STIPULATED!
13 15	immie Lee Kirkpatrick  09/18/03  Date  09/18/03  10000000000000000000000000000000000
16 17 18	Victoria Charaberlain, Executive Director Teacher Standards and Practices Commission  9-16-02  Date
19	CONCLUSIONS OF LAW
20	On September 12, 2002, Jimmie Lee Kirkpatrick admitted to the Commission's
21	Investigator that prior to July 16, 2002, he possessed and used marijuana. The admission of or
22	engaging these acts are basis for discipline pursuant to OAR 584-020-0040(5)(e). The
23	Commission's authority to impose discipline in this matter is based upon ORS 342.175.
24	ORDER
25	The Commission adopts the above Stipulation of Facts and imposes a four (4) year
26	probation upon Mr. Kirkpatrick's licensure effective October 12, 2002.
27	The terms of probation are as follows:

<b>N</b> '	1. Wit. Kirkpatrick Shall, at his own initiative and expense, continue to obtain treatment
2	for chemical dependency as recommended by his treatment provider;
3	2. During the period of his probation, Mr. Kirkpatrick shall submit to the Executive
4	Director of the Commission reports of his compliance with the treatment plan. Mr. Kirkpatrick
5	shall provide these reports every six (6) months during his probation;
6	3. Mr. Kirkpatrick shall comply with all Standards for Competent and Ethical
7	Performance under Chapter 584, Division 020;
8	If Mr. Kirkpatrick does not comply with his treatment plan based on the reports of his
9	treatment provider or as otherwise determined by the Executive Director he shall be in violation
10	of the terms of this probation. Violation of the terms of this probation may constitute an
11	independent basis for the Commission to impose discipline, up to and including revocation of
12	Mr. Kirkpatrick's licensure subject to Mr. Kirkpatrick's right to a hearing on the issue of whether
13	he violated probation.
14	IT IS SO ORDERED this//_ day of October, 2002
15	TEACHER STANDARDS AND PRACTICES COMMISSION
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17	By Willewa (Manuberlain)
18	Victoria Chamberlain, Executive Director
19	Approved as to form:
20 (	January (
21 \ 22	Louis Savage ØSB# 74284  Attorney for Jimmie Lee Kirkpatrick [091202]
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