## 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 ) AND CATHERINE MARIE McCAVITT ) ORDER OF PROBATION
6	On August 6, 2003, Catherine Marie McCavitt (McCavitt) submitted an application for an
7	Initial Teaching License to the Teacher Standards and Practices Commission (Commission).
8	Ms. McCavitt responded affirmatively to character question 9, and provided documentation for a
9	July 1, 2003, arrest for Driving Under the Influence of Intoxicants in West District Court, White
10	Salmon, Washington. Ms. McCavitt provided a written explanation.
11	After review of the matters alleged, Ms. McCavitt and the Commission agree that their
12	respective interests, together with the public interest, are best served by a stipulation to certain
13	facts and a four (4) year probation. This Order sets forth the facts upon which the parties have
14	agreed and the sanction to be imposed. Ms. McCavitt stipulates that there are sufficient facts
5	contained in the Commission's files and records to support the findings of fact and conclusions
16	of law set forth below. In entering into this stipulation, Ms. McCavitt waives the right to a
17	hearing to contest the findings of fact, conclusion of law and order set forth below. Ms. McCavit
18	understands that the probation will be subject to specific terms and conditions.
19	Ms. McCavitt enters into this Stipulation of Facts with the knowledge that the
20	Commission shall place her on probation for a period of four (4) years. This Stipulation is
21	contingent upon approval and adoption of the Order by the full Commission. If the Commission
22	does not adopt this Order, neither Ms. McCavitt nor the Commission are bound by these
23	stipulations and Ms. McCavitt retains the right to a hearing on the allegations.
24	STIPULATION OF FACTS
25	1. On August 6, 2003, Ms. McCavitt submitted an Application For Educator License
26	Form C-1 to the Commission requesting an Initial Teaching License. She responded
7	affirmatively to character questions 9.

1	2. Ms. McCavitt is employed by The Dalles School District at The Dalles Middle School.			
2	3. On July 1, 2003, Ms. McCavitt was arrested for Driving Under the Influence of			
3	Intoxicants (DUII). Ms. McCavitt was granted a two (2) year Deferred Prosecution Treatment			
4	Plan for DUII in West District Court, White Salmon, Washington. The Court ordered Ms.			
5	McCavitt to attend Intensive Outpatient Treatment/Continuing Care for two (2) years.			
6	3. Ms. McCavitt recognizes that she has an alcohol dependency problem and has			
7	agreed to a plan of treatment and aftercare as prescribed by her treatment provider.			
8	IT IS SO STIPULATED:			
9 10	Catherine Marie McCavitt  Catherine Marie McCavitt  Date			
11 12 13 14	Catherine Warie Wc Cavitt  Catherine Marie McCavitt  Date  October Manufacture  Victoria Chamberlain, Executive Director Teacher Standards and Practices Commission  9/18/03  Date  9-26-03  Date			
15	CONCLUSIONS OF LAW			
5	Catherine Marie McCavitt's alcohol related criminal conduct constitutes Gross Unfitness			
17	as defined in OAR 584-020-0040(5)(e). Criminal conduct, even in the absence of conviction,			
18	may be used as evidence to establish an applicant's lack of fitness to serve as an educator			
19	pursuant to OAR 584-050-0006. The Commission's authority to impose discipline in this matter			
20	is based upon ORS 342.143 and ORS 342.175.			
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## **ORDER**

The Commission adopts the above stipulation of facts and authorizes the issuance of an Initial Teaching License to Ms. McCavitt subject to all standard terms and conditions.

Furthermore, the Commission imposes a four (4) year probation upon

Ms. McCavitt to commence the date of issuance of said license and subject to the following special terms and conditions of probation:

- 1. Ms. McCavitt shall provide evidence, on or before July 9, 2005, that she has successfully completed an alcohol treatment program and requirements of the Deferred Prosecution Treatment Plan. Ms. McCavitt will also provide a copy of the treatment plan and aftercare plan as prescribed by the treatment provider;
- 2. Ms. McCavitt shall, at her own initiative and expense, continue to obtain treatment for her alcohol dependency as recommended by her alcohol treatment provider and abstain from the consumption of alcohol;
- 3. During the period of her probation, Ms. McCavitt shall submit to the Executive Director of the Commission reports of her compliance with the aftercare treatment plan.
- 16 Ms. McCavitt shall provide these reports every six (6) months during her probation, on or before:
- 17 April 10, 2004; October 10, 2004; April 10, 2005; October 10, 2005; April 10, 2006; October 10,
- 18 2006; April 10, 2007; and October 10, 2007.
- 19 4. Ms. McCavitt shall conduct herself as a law-abiding citizen;
- 5. Ms. McCavitt 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
- 6. Ms. McCavitt shall comply with the Standards for Competent and Ethical Performance of Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020.

_'	violation of any term or condition of probation shall constitute an independent basis for
	the Commission to revoke Ms. McCavitt's teaching license or otherwise impose discipline, after
3	first providing Ms. McCavitt with notice and opportunity for hearing.
4	IT IS SO ORDERED this day of October 2003.
5	TEACHER STANDARDS AND PRACTICES COMMISSION
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7	By Milorico Camberlain
8	Victoria Chamberlain, Executive Director [091703]