## 1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON 3 In the Matter of the ) STIPULATION OF FACTS AND **4** 5 6 ) **Educator License of** FINAL ORDER OF REPRIMAND ) SHELLI WAYDEAN JAMES AND PROBATION 7 On or about May 21, 2012, the Teacher Standards and Practices Commission 8 (Commission) received information from the Grants Pass School District, indicating that 9 Shelli Waydean James (James) had been arrested for a DUII and may have violated 10 professional standards. 11 After review of the matters alleged, James and the Commission agree that their 12 respective interests, together with the public interest, are best served by a stipulation to 13 certain facts and the imposition of a public reprimand with a four year probation period. 14 By signing below, James acknowledges, understands, stipulates, and agrees to the 15 following: (i) she has been fully advised of her rights to notice and a hearing to contest 16 the findings of fact, conclusions of law, and order set forth below, and fully and finally 17 waives all such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Reprimand and Probation (Stipulation and Final Order): (ii) 18 this Stipulation and Final Order is a public document and disclosed to the public upon 19 20 request to the Commission; (iii) this Stipulation and Final Order is contingent upon and 21 subject to approval and adoption by the Commission. If the Commission does not 22 approve and adopt this Stipulation and Final Order, then neither James nor the 23 Commission are bound by the terms herein; (iv) she has fully read this Stipulation and 24 Final Order, and understands it completely; (v) she voluntarily, without any force or 25 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 promise or representation has 26 been made to induce her to sign this Stipulation and Final Order; and (vii) she has 27 28 consulted with an attorney regarding this Stipulation and Final Order and has been fully 29 advised with regard to her rights thereto, or waives any and all rights to consult with an

1	atto	orney prior to entering into this Stipulation and Final Order and issuance and entry of
2	the	Stipulated Final Order below.
3		STIPULATION OF FACTS
4 5 6 7 8 9 10	1.	Shelli Waydean James has been licensed as a teacher in Oregon since September 11, 2006. James holds a Five-Year Career and Technical Teaching License, with an endorsement in Hospitality and Tourism (024), which is valid September 12, 2009, through September 11, 2014. James made timely application for renewal and James' license status was changed to "expiration pending" awaiting the final outcome of this investigation. During all relevant times, James was employed by the Grants Pass School District.
12	2.	On May 21, 2012, the Commission received a report from the Grants Pass School
13 14		District indicating that James may have violated professional standards.  Investigation determined the following:
15 16 17 18 19 20 21 22 23 24		<ul> <li>a. On April 26, 2012, James was arrested by the Oregon State Police out of Medford, Oregon for the following charges resulting from a motor vehicle injury accident: i.e.: Assault 3 (Class C Felony), Driving under the Influence of Intoxicants (DUII (Class A Misdemeanor)), Reckless Driving (Class A Misdemeanor), Reckless Endangering Another Person (2-counts, Class A Misdemeanor), Assault 4 (Class A Misdemeanor), Aggravated Harassment (Class C. Felony), Harassment (Class B Misdemeanor), Resisting Arrest (Class A Misdemeanor), and Disorderly Conduct (Class B Misdemeanor).</li> <li>b. On February 19, 2014, James plead guilty to: DUII (Class A Misdemeanor),</li> </ul>
25 26 27 28 29		Recklessly Endangering Another Person (1 count, Class A Misdemeanor), Assault in the Fourth Degree (Class A Misdemeanor), and Resisting Arrest (Class A Misdemeanor). The remaining charges were dismissed. James was sentenced to 30-days in jail with credit for time served, fined \$2,000 dollars and placed on 2-years Bench probation.
30 31 32 33 34		c. James' conduct that lead to her arrest and subsequent convictions included James operating a motor vehicle under the influence of intoxicants while driving to pick up her daughter. It was reported that James traveled at nearly 100 MPH and drove recklessly before she struck another vehicle, which caused injury to its operator. Sometime after she was taken into custody, James became
35		uncooperative, verbally hostile, and fought with an officer. James' blood alcohol

1	level was determined to be .154 % by volume BAC, approximately twice the
2	presumptive limit for DUII.
3	
4	IT IS SO STIPULATED:
5 6 7 8 9 10	Shelli Waydean James Shelli Waydean James  Date  7 - 27 - 15  Victoria Chamberlain, Executive Director Teacher Standards and Practices Commission
12	
13	CONCLUSION OF LAW
14	Shelli Waydean James' conduct described in sections two above constitutes gross neglect
15	of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR
16	584-020-0010(5) ( <i>Use professional judgment</i> ), and OAR 584-020-0040(4)(0) as it
17	incorporates OAR 584-020-0035(3)(a) (Maintain the dignity of the profession by respecting
18	and obeying the law, exemplifying personal integrity and honesty). This conduct also
19	constitutes gross unfitness in violation of ORS 342.175(1)(c); OAR 584-020-0040(5)(c)
20	(Conviction of violating any federal, state, or local law. A conviction includes any final
21	judgment of conviction by a court whether as the result of guilty plea, no contest plea or any
22	other means), and OAR 584-020-0040(5)(e) (Admission of or engaging in acts constituting
23	criminal conduct, even in the absence of a conviction).
24	The Commission's authority to impose discipline in this matter is based upon ORS
25	342.175.
26	ORDER
27	Based on the foregoing, the Commission hereby orders as follows:
28	1. The Commission adopts and incorporates herein the above findings of fact and
29	conclusions of law, and based thereon, imposes a Public Reprimand on Shelli
30	James' Educators License;
31	2. James is hereby placed on probation for a period of four (4) years from the date

ı	this order is signed by the Commission subject to the following conditions:
2	a. James shall comply with the Standards for Competent and Ethical
3	Performance of Oregon Educators under Oregon Administrative Rules
4	Chapter 584, Division 020.
5	b. James will obey all laws and ordinances.
6	
7	Violation of any term or condition of probation shall constitute an independent basis for
8	the Commission to revoke James' educator license, revoke her right to apply for a
9	license, or otherwise impose discipline, after first providing James with notice and
0	opportunity for hearing.
1	Issued and dated this 17 day of Sugust, 2015.
12 13	TEACHER STANDARDS AND PRACTICES COMMISSION STATE OF OREGON
4  5  6	By Manuelain Victoria Chamberlain, Executive Director

## CERTIFICATE OF MAILING

I HEREBY CERTIFY that I served the foregoing Stipulation of Facts and Final Order of Reprimand and Probation, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail - Return Receipt Requested, addressed to:

> Shelli Waydean James 1827 Marys Way Central Point, OR 97502-1625

DATED this  $20 \frac{1}{6}$  day of August, 2015.

By:

Investigative Assistant