

1 consult with an attorney prior to entering into this Stipulation and Final Order and
2 issuance and entry of the Stipulated Final Order below.



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4 **STIPULATION OF FACTS**

- 5 1. The Commission has licensed Boudreaux since August 26, 2009. Boudreaux
6 holds a Preliminary Teaching License, with an endorsement in Special Education:
7 Generalist (PK-12); valid from November 16, 2016 through November 29, 2019.
8 During all relevant times, Boudreaux was employed by Eugene School District
9 (ESD).
- 10 2. On February 20, 2018, the Commission received a district report alleging
11 Boudreaux had violated professional standards and local policy by administering
12 a special education student his medicinal Cannabidiol (CBD) in violation of
13 Eugene School District policy. Investigation determined the following:
- 14 • On or about September 5, 2017, Boudreaux emailed district staff seeking
15 clarification of district policy on the administration of CBD oil to students
16 with a doctor's order (prescription). Boudreaux was informed that CBD
17 oil could not be administered by district staff. CBD oil could be
18 administered by the student's parents but not on school grounds. Parents
19 would be required to check the student out, remove them from the
20 building and campus, administer the oil, and then return them to campus.
 - 21 • Special education student RK received such CBD oil treatments daily.
22 RK's parents complied with the district policy by signing RK out and back
23 in as required. RK's condition caused her to be agitated, aggressive and
24 self-injurious; however, when using CBD, RK was regularly calm and
25 happy and did not injure herself or others. In Mid-October, the parents
26 advised that due to a change in schedules, they would not be able to
27 administer RK's juice drink (with the CBD oil) or a CBD oil infused snack
28 regularly, and requested that Boudreaux administer the juice and pretend
29 to not know it contained the CBD oil. Boudreaux agreed to do so.
 - 30 • In violation of district policy, Boudreaux and her instructional assistants
31 administered the CBD oiled drink or snacks regularly for approximately
32 two weeks. Boudreaux was interviewed by district administrators in
33 response to a complaint that Boudreaux and her staff were administering
34 the CDB oil to RK in the classroom. Boudreaux misinformed

1 administrators about her role and her IAs role in serving RK her
2 medication. . Boudreaux informed the parents of RK that they would
3 need to resume the original process of administering the CBD oil to RK as
4 required by the policy.

- 5 • Boudreaux explained that she believed her actions were in the best
6 interest of the student. Boudreaux was not honest with district
7 administrators when questioned about her conduct. Boudreaux informed
8 investigators that she realizes it is not acceptable to bypass rules and
9 policy despite best intentions. Boudreaux later entered into a separation
10 agreement with the district effective April 1, 2018.

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13 IT IS SO STIPULATED:
14  3/25/19
15 _____ Date
16 Lory A. Boudreaux
17  3/26/2019
18 _____ Date
19 Trent Danowski, Deputy Director
Teacher Standards and Practices Commission

20
21 **CONCLUSION OF LAW**

22 The conduct described above constitutes gross neglect of duty in violation of ORS
23 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use*
24 *professional judgment*), OAR 584-020-0025(2)(c) (*Using district lawful and reasonable*
25 *rules and regulations*); OAR 584-020-0040(4)(c) (*Falsification of any document or*
26 *knowing misrepresentation directly related to licensure, employment, or professional*
27 *duties*).

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29 The Commission's authority to impose discipline in this matter is based upon
30 ORS 342.175.
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ORDER

The Commission adopts and incorporates herein the above findings of fact and conclusions of law, and based thereon, imposes a Public Reprimand on Lory A. Boudreaux's Oregon educator license.

Furthermore, the Commission imposes a period of two (2) years of probation upon Boudreaux's licensure to commence from the date this order is signed by the Commission and subject to the following conditions:

1. Boudreaux shall comply with the Standards for Competent and Ethical Performance of Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020.

Issued and dated this 5 day of April, 2019.

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

By 

Dr. Anthony Rosilez, Executive Director