

1 Mr. Tubre enters into this Stipulation of Facts with the knowledge that the
2 Commission shall place him on probation for a period of four (4) years. This Stipulation
3 is contingent upon approval and adoption of the Order by the full Commission. If the
4 Commission does not adopt this Order, neither Mr. Tubre nor the Commission are
5 bound by these stipulations and Mr. Tubre retains the right to a hearing on the
6 allegations.

7 **STIPULATION OF FACTS**

8 1. On April 29, 2003, Mr. Tubre submitted an Application For Educator License
9 Form C-1 to the Commission requesting renewal of a Basic Administrative License. He
10 responded affirmatively to character questions 8, 9 and 10.

11 2. On December 28, 1981, Mr. Tubre was convicted for Driving While Under the
12 Influence of Intoxicants in District Court for Washington County, Oregon.

13 3. On December 21, 1990, Mr. Tubre was convicted for Driving Under the
14 Influence in the State of Washington for County of Clark.

15 4. On November 22, 2002, Mr. Tubre was arrested for Driving Under Influence in
16 Yakima, Washington. On March 7, 2003, Mr. Tubre entered into a deferred adjudication
17 agreement in the District Court of Yakima County, State of Washington. Tubre received
18 five years probation and was ordered by the court to undergo treatment.

19 IT IS SO STIPULATED:

20 Bruce Joseph Tubre
21 Bruce Joseph Tubre

2/18/04
Date

22 Victoria Chamberlain
23 Victoria Chamberlain, Executive Director
24 Teacher Standards and Practices Commission

2-18-04
Date

CONCLUSIONS OF LAW

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Bruce Joseph Tubre's alcohol related criminal convictions and criminal conduct constitute Gross Unfitness as defined in OAR 584-020-0040(5)(c) and OAR 584-020-0040(5)(e). Criminal convictions and criminal conduct, even in the absence of conviction, may be used as evidence to establish an applicant's lack of fitness to serve as an educator pursuant to OAR 584-050-0006. The Commission's authority to impose discipline in this matter is based upon ORS 342.143 and ORS 342.175.

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2 **ORDER**

3 The Commission adopts the above stipulation of facts and authorizes the
4 issuance of a Basic Administrative License to Mr. Tubre subject to all standard terms
5 and conditions.

6 Furthermore, the Commission imposes a four (4) year probation upon
7 Mr. Tubre to commence the date of issuance of said license and subject to the following
8 special terms and conditions of probation:

9 1. Mr. Tubre shall, at his own initiative and expense, continue to obtain treatment
10 for his alcohol dependency as recommended by his alcohol treatment provider and
11 abstain from the consumption of alcohol;

12 2. During the period of his probation, Mr. Tubre shall submit to the Executive
13 Director of the Commission reports of his compliance with the aftercare treatment plan.
14 Mr. Tubre shall provide these reports every six (6) months during his probation, on or
15 before: September 5, 2004; March 5, 2005; September 5, 2005; March 5, 2006;
16 September 5, 2006; March 5, 2007; September 5, 2007; and March 5, 2008.

17 3. Mr. Tubre shall conduct himself as a law-abiding citizen;

18 4. Mr. Tubre shall report in writing within ten days to the Executive Director of
19 the Commission any arrest or citation for any felony, misdemeanor, major traffic
20 violation or violation of criminal probation; and

21 5. Mr. Tubre shall comply with the Standards for Competent and Ethical
22 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
2 basis for the Commission to revoke Mr. Tubre's teaching license or otherwise impose
3 discipline, after first providing Mr. Tubre with notice and opportunity for hearing.

4 IT IS SO ORDERED this 5 day of March 2004.

5 TEACHER STANDARDS AND PRACTICES COMMISSION

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7 By  _____
8 Victoria Chamberlain, Executive Director

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