BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION

OF THE STATE OF OREGON

3	In the Matter of the	·)	STIPULATION OF FACTS,
4	Administrative License of)	ORDER OF REPRIMAND AND
5	BRUCE JOSEPH TUBRE)	PROBATION

On April 29, 2003, Bruce Joseph Tubre (Tubre) submitted an application for a Basic Administrative License to the Teacher Standards and Practices Commission (Commission). Mr. Tubre responded affirmatively to character questions 8, 9 and 10. On January 22, 2004, the Commission issued a Notice of Opportunity for Hearing to Mr. Tubre denying his application for licensure and suspending his right to apply for a license. On February 3, 2004, Mr. Tubre wrote to the Commission requesting a hearing. During an interview with the TSPC investigator on February 18, 2004, Mr. Tubre provided complete information in support of his fitness to serve as an educator.

After review of the matters alleged, Mr. Tubre and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts and a four (4) year probation. This Order sets forth the facts upon which the parties have agreed and the sanction to be imposed. Mr. Tubre stipulates that there are sufficient facts contained in the Commission's files and records to support the findings of fact and conclusions of law set forth below. In entering into this stipulation, Mr. Tubre waives the right to a hearing to contest the findings of fact, conclusion of law and order set forth below. Mr. Tubre understands that the probation will be subject to specific terms and conditions.

	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 21	Bruce Joseph Fubre Date		
22	Bruce Joseph Fubre Date Date 2-18-04		
23	Victoria Chamberlain, Executive Director Date		
24	Teacher Standards and Practices Commission		

CONCLUSIONS OF LAW

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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ORDER The Commission adopts the above stipulation of facts and authorizes the 3 issuance of a Basic Administrative License to Mr. Tubre subject to all standard terms 4 and conditions. 5 Furthermore, the Commission imposes a four (4) year probation upon 6 Mr. Tubre to commence the date of issuance of said license and subject to the following 7 special terms and conditions of probation: 8 1. Mr. Tubre shall, at his own initiative and expense, continue to obtain treatment 9 for his alcohol dependency as recommended by his alcohol treatment provider and 10 abstain from the consumption of alcohol; 11 2. During the period of his probation, Mr. Tubre shall submit to the Executive 12 Director of the Commission reports of his compliance with the aftercare treatment plan. 13 Mr. Tubre shall provide these reports every six (6) months during his probation, on or 14 before: September 5, 2004; March 5, 2005; September 5, 2005; March 5, 2006; 15 September 5, 2006; March 5, 2007; September 5, 2007; and March 5, 2008. 16 3. Mr. Tubre shall conduct himself as a law-abiding citizen;

4. Mr. Tubre 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

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5. Mr. Tubre shall comply with the Standards for Competent and Ethical 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 Ω	By Judius Manuel ain. Victoria Chamberlain, Executive Director [021804]		
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