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BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
OF THE STATE OF OREGON

In the Matter of the) ORDER OF REINSTATEMENT
Administrative License of) AND PROBATION
BRUCE JOSEPH TUBRÉ)

This matter came before the Commission on a request by Mr. Tubré for reinstatement of his educator licenses. Mr. Tubré's licenses have been revoked since August 8, 2005. The parties have agreed to resolve Mr. Tubré's request for reinstatement by entry of this order of reinstatement.

FINDINGS OF FACTS

1. The Commission licensed Mr. Tubré beginning July 11, 1996, until revocation on August 8, 2005.
2. On April 29, 2003, Mr. Tubré submitted an application for a Standard Teaching License and Basic Administrative License to the Commission, and responded affirmatively to character questions 8, 9, and 10. The Commission issued a notice to Mr. Tubré, proposing to deny his application, and suspending his right to apply for a license. Mr. Tubré subsequently requested a hearing and provided complete information to the Commission in support of his fitness to serve as an educator.
3. On March 5, 2004, after review of the matters alleged, the Commission agreed to issue Mr. Tubré the licenses, subject to four years of probation during which time Mr. Tubré was to obtain treatment for his alcohol dependency and submit to the Executive Director of the Commission reports of his compliance with an aftercare treatment plan. Mr. Tubré was to provide these reports every six months. The terms of the probation also specified that Mr. Tubré was to conduct himself as a law-abiding citizen and report in writing within ten days to

1 the Executive Director any arrest or citation for any felony, misdemeanor, major traffic
2 violation or violation of criminal probation, and was to comply with the Standards for
3 Competent and Ethical Performance of Oregon Educators under OAR Chapter 584, division
4 020.

5 4. Furthermore the March 5, 2004 order required Mr. Tubré:

6 a. at his own initiative and expense, to continue to obtain treatment for his alcohol
7 dependency as recommended by his alcohol treatment provider and abstain from
8 the consumption of alcohol;

9 b. submit to the Executive Director of the Commission, during the period of his
10 probation, reports of his compliance with the aftercare treatment plan. Mr. Tubré
11 was to provide these reports every six (6) months during his probation.

12 c. conduct himself as a law-abiding citizen;

13 d. report in writing within ten days to the Executive Director of the Commission any
14 arrest or citation for any felony, misdemeanor, major traffic violation or violation of
15 criminal probation; and

16 e. comply with the Standards for Competent and Ethical Performance of Oregon
17 Educators under Oregon Administrative Rules Chapter 584, Division 020.

18 5. The terms of the probation also specified that violation of any of its terms would
19 constitute an independent basis for the Commission to revoke Mr. Tubré's licenses after first
20 providing Mr. Tubré with Notice and Opportunity for Hearing.

21 6. On January 1, 2005, Mr. Tubré violated the terms of his probation by consuming
22 alcohol.

1 7. On January 1, 2005, Mr. Tubré violated the terms of his probation when he engaged in
2 an act constituting criminal conduct by operating a motor vehicle under the influence of
3 intoxicants in Linn County, Oregon.

4 8. On January 1, 2005, Mr. Tubré violated the terms of his probation when he failed to
5 make a written report to the Executive Director of the Commission disclosing that he was
6 arrested for DUUI, on January 1, 2005, in Linn County, Oregon.

7 9. On February 7, 2005, the Commission issued and served by certified mail on Mr.
8 Tubré, a Notice of Opportunity for Hearing and Notice of Contested Case Rights and
9 Procedures. This Notice was served on Mr. Tubré at the last known address he had provided
10 to the Commission

11 10. On June 30, 2005, the OAH issued a Notice of Hearing stating that a contested case
12 hearing would be held on July 19, 2005. This Notice was served by first class and certified
13 mail on Mr. Tubré.

14 11. On July 19, 2005, a contested case hearing on the matter was convened. Mr. Tubré
15 failed to appear.

16 12. On August 8, 2005, the Commission adopted a Final Order revoking the teaching and
17 administrative licenses of Mr. Tubré.

18 13. On July 31, 2008 Mr. Tubré submitted an application for reinstatement of his revoked
19 Standard Teaching License and for issuance of a Standard Administrative License.

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1 **CONCLUSION OF LAW**

2 Mr. Tubré provided sufficient evidence to establish that he possesses the qualifications
3 required for reinstatement of his Standard Teaching License, with a Basic Physical Education
4 endorsement and issuance of a Basic Administrative License, with a Standard Administrative
5 endorsement, pursuant to OAR 584-050-0018.

6 **ORDER**

7 The Commission adopts the above stipulation of facts and authorizes the issuance of a
8 Standard Teaching License with a Basic Physical Education endorsement and a Basic
9 Administrative License with a Standard Administrative endorsement to Mr. Tubré subject to all
10 standard terms and conditions.

11 Furthermore, the Commission imposes a four (4) year probation upon
12 Mr. Tubré to commence the date of issuance of said license and subject to the following
13 special terms and conditions of probation:

14 1. Mr. Tubré shall, at his own initiative and expense, continue to obtain treatment for
15 his alcohol dependency as recommended by his alcohol treatment provider;

16 2. During the period of his probation, Mr. Tubré shall submit to the Executive Director
17 of the Commission reports of his compliance with the aftercare treatment plan. Mr. Tubré
18 shall provide these reports every six (6) months during his probation, beginning in August
19 2009.

20 3. Mr. Tubré shall conduct himself as a law-abiding citizen;

21 4. Mr. Tubré shall report in writing within ten days to the Executive Director of the
22 Commission any arrest or citation for any felony, misdemeanor, major traffic violation or
23 violation of criminal probation; and

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

3 Violation of any term or condition of probation shall constitute an independent basis for
4 the Commission to revoke Mr. Tubré's teaching license or otherwise impose discipline, after
5 first providing Mr. Tubré with notice and opportunity for hearing.

6 IT IS SO ORDERED this 23rd day of February 2009.

7 TEACHER STANDARDS AND PRACTICES COMMISSION

8
9 By *Victoria Chamberlain*

10 Victoria Chamberlain, Executive Director

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