

1 with an attorney regarding this Stipulation and Final Order and has been fully advised with
2 regard to her rights thereto, or waives any and all rights to consult with an attorney prior to
3 entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final
4 Order below. This stipulation is contingent upon approval and adoption of the Order by the
5 Commission. If the Commission does not adopt this Order, neither Ms. Mohs nor the
6 Commission are bound by these Stipulations and Ms. Mohs retains all rights to a hearing on the
7 allegations.

8 **STIPULATION OF FACTS**

9 1. Ms. Mohs has been licensed by the Commission since September 22, 1994. Ms.
10 Mohs holds a Standard Teaching License with Basic ESOL/Bilingual and Standard Spanish
11 endorsements, issued January 6, 2004, valid through December 28, 2008; a Standard
12 Administrative License with a Standard Administrator endorsement, issued January 15, 2002,
13 valid through December 28, 2008; and a Standard Personnel Service License with a Standard
14 Counselor endorsement, issued December 23, 2003, valid through December 18, 2007.

15 2. On August 2, 2003 the Willamette Education Service District (WESD) hired Ms. Mohs
16 as the Director of the Region 16 Migrant Education Program. WESD suspended Ms. Mohs as
17 the Director on or about June 10, 2005 pending the outcome of their investigation into her
18 conduct. Ms. Mohs subsequently resigned the position on or about September 30, 2005.

19 3. WESD rehired Ms. Mohs as an independent contractor. WESD subsequently
20 terminated Ms. Mohs as an independent contractor in November of 2005 because her work
21 failed to meet expectations.

22 4. WESD Assistant Superintendent, Dave Novotney conducted an investigation into the
23 many allegations and complaints regarding Ms. Mohs's employment. That report grouped the
24 complaints and ethical violations into two general categories: Creating a Hostile Working
25 Environment and WESD Policy, Federal/State Grant, Ethics Violations.

1 5. In her position as Director of Migrant Education, Ms. Mohs hired relatives without
2 following procedures for reporting potential conflicts of interest. Ms. Mohs also submitted
3 reimbursements for items not approved by WESD policy.

4 6. In May and June of 2005 ten employees of the District reported harassment by Ms.
5 Mohs to Dr. Novotney. These complaints were investigated by WESD and formed part of the
6 basis for the decision to terminate Ms. Mohs' employment.

7 7. Both the Government Standards and Practices Commission (GSPC) and WESD
8 investigated Ms. Mohs' alleged violations of WESD, State and Federal Grant requirements.
9 GPSC Concluded Ms. Moh's committed 18 violations of ORS 244.040(1) (a), prohibiting public
10 officials from obtaining gain from their position; and 10 violations of ORS 244.120(1) (c), failure
11 to properly handle conflicts of interest.

12 8. The conduct Ms. Mohs engaged in also constitutes violations of Standards for
13 Competent and Ethical Performance of Oregon Educators, Chapter 584, Division 020.

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17 **IT IS SO STIPULATED AND AGREED TO:**

18 Nicolasa Mohs
19 Nicolasa Mohs

5-17-07
Date

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

5/24/07
Date

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CONCLUSION OF LAW

2 Nicolasa Mohs' failure to follow WESD policy and violation of GSPC standards constitute
3 a failure to use professional judgment, OAR 584-020-0010(5); failure to use proper skill in
4 supervision, OAR 584-020-0020(3)(d); failure to demonstrate proper communication skills, OAR
5 584-020-0030(3); and failure to exemplify personal integrity and honest, OAR 584-020-
6 0035(3)(a), (b).

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FINAL ORDER

8 The Commission adopts and incorporates herein the above findings of fact and
9 conclusion of law, based thereon, hereby suspends the Administrative License of Nicolasa
10 Mohs for a period of thirty (30) days effective May 18, 2007. At the end of this suspension
11 period Ms, Mohs' Administrative Licenses will be reinstated upon submission of a complete
12 application and fees pursuant to OAR 584-050-0015(3).

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14 Issued and dated this 21 day of May, 2007.

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

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By *Victoria Chamberlain*
Victoria Chamberlain, Executive Director

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