



1 **STIPULATION OF FACTS**

2 1. On January 8, 2004, Mr. Willey submitted an Application For Educator  
3 License Form C-1 to the Commission requesting an Initial Teaching License.

4 2. On December 5, 1998, Mr. Willey was arrested for Driving Under the  
5 Influence of Intoxicants (DUII), Minor in Possession of Liquor (MIP), and Use Invalid  
6 Operators License. Mr. Willey was convicted of Use Invalid Operators License. The  
7 Court granted Mr. Willey a Diversion for MIP and DUII. On March 29, 2000, Mr. Willey  
8 completed Diversion and the Circuit Court of the State of Oregon for the County of  
9 Benton dismissed the MIP and DUII charges.

10 3. On February 26, 2001, Mr. Willey was convicted of Driving While Suspended  
11 and Possession of Less than One Ounce of Marijuana in the Circuit Court of the State  
12 of Oregon for the County of Benton.

13 4. On December 6, 2000, Mr. Willey completed the ACES alcohol treatment  
14 program.

15 5. Mr. Willey recognizes that he has a problem with alcohol.

16 IT IS SO STIPULATED:

17 *Daniel Willey*  
18 Daniel Colin Willey

3-16-04  
Date

19 *Victoria Chamberlain*  
20 Victoria Chamberlain, Executive Director  
21 Teacher Standards and Practices Commission  
22

3-16-04  
Date

23 ///

24 ///

**CONCLUSIONS OF LAW**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10

Daniel Colin Willey's alcohol related criminal conviction 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.

///  
///  
///

1  
2 **ORDER**

3 The Commission adopts the above stipulation of facts and authorizes the  
4 issuance of an Initial Teaching License to Mr. Willey subject to all standard terms and  
5 conditions.

6 Furthermore, the Commission imposes a three (3) year probation upon  
7 Mr. Willey to commence the date of issuance of said license and subject to the following  
8 special terms and conditions of probation:

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

12 2. During the period of his probation, Mr. Willey shall submit to the Executive  
13 Director of the Commission reports of his compliance with the aftercare treatment plan.  
14 Mr. Willey shall provide these reports every six (6) months during his probation, on or  
15 before: September 1, 2004; March 1, 2005; September 1, 2005; March 1, 2006;  
16 September 1, 2006; March 1, 2007; September 1, 2007; and March 1, 2008.

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

18 4. Mr. Willey 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. Willey shall comply with the Standards for Competent and Ethical  
22 Performance of Oregon Educators under Oregon Administrative Rules Chapter 584,  
23 Division 020.

///

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

4 IT IS SO ORDERED this 7<sup>th</sup> day of May, 2004.

5 TEACHER STANDARDS AND PRACTICES COMMISSION

6  
7 By *Victoria Chamberlain*  
8 Victoria Chamberlain, Executive Director

[031504]