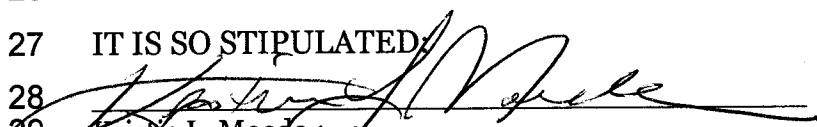


1 waives any and all rights to consult with an attorney prior to entering into this
2 Stipulation and Final Order and issuance and entry of the Stipulated Final Order
3 below. Moede understands that the probation will be subject to specific terms
4 and conditions.

5 STIPULATION OF FACTS

- 6 1. The Commission has licensed Kristie L. Moede since July 25, 1990.
7 Moede's Standard Teaching License, with endorsements in Basic Physical
8 Education (018) and Standard Health Education (018), was valid from
9 August 24, 2009, through September 8, 2014, and is currently expired.
10 During all relevant times, Moede was employed by the North Clackamas
11 School District as a teacher.
- 12 2. On February 10, 2014, the Commission received information from the
13 North Clackamas School District indicating Moede may have committed
14 acts which constitute gross neglect of duty. The District reported that on
15 January 13, 2014, Moede appeared to be under the influence of alcohol at
16 work. Investigation determined that students reported unusual behaviors
17 on the part of Moede in the classroom. Administrator's observations
18 confirmed these reports and reported an odor of alcohol on Moede's
19 person. Moede was removed from the classroom and several hours later
20 given a breath test. The results of the breath tests were at 4:46 p.m. a
21 blood alcohol content (BAC) of .155, and at 5:03 p.m. a BAC of .145. Moede
22 resigned effective February 21, 2014, as part of a separation agreement.
- 23 3. After resigning her position, Moede voluntarily entered into and
24 successfully completed inpatient alcohol treatment. Moede has not sought
25 renewal of her teaching license.

26
27 IT IS SO STIPULATED:

28 
29 Kristie L. Moede

6.3.15
Date

30 
31 Victoria Chamberlain, Executive Director
32 Teacher Standards and Practices Commission
33

6-25-15
Date

1 **CONCLUSION OF LAW**

2 On or about January 13, 2014, Moede was working under the influence of
3 alcohol while on duty and on school property. This conduct constitutes gross
4 neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it
5 incorporates OAR 584-020-0010(5) (*Use of professional judgment*), OAR 584-
6 020-0025(2)(e) (*Using district lawful and reasonable rules and regulations*);
7 and OAR 584-020-0040(4)(g) (*Appearing on duty or at any district-sponsored*
8 *activity while under the influence of alcohol or any controlled substance*).

9 The Commission's authority to impose discipline in this matter is based
10 upon ORS 342.175.

11 **ORDER**

12 The Commission hereby adopts and incorporates herein the above findings of
13 fact, conclusions of law, and based thereon hereby imposes a one (1) year
14 suspension of Moede's right to apply for licensure as follows:

15 Kristie Moede' right to apply for licensure is hereby suspended for One (1)
16 year following the adoption of this order. Reinstatement from this
17 suspension shall be contingent upon evidence of continued sobriety from
18 her reported sobriety date of May 2014.

19 Furthermore, the Commission imposes four (4) year probation upon
20 Moede to commence the date of successful reinstatement of licensure and
21 subject to the following terms and conditions of probation:

- 22 1. She will continue to participate in any post treatment
23 recommendations and recovery programs related to her sobriety.
24 2. She will comply with the Standards for Competent and Ethical
25 Performance of Oregon Educators under Oregon Administrative Rules
26 Chapter 584, Division 020.

27 Violation of any term or condition of probation shall constitute an independent
28 basis for the Commission to otherwise impose discipline, up to and including
29 revocation of Moede' teaching license, after first providing Moede with notice and
30 opportunity for hearing.

1 Issued and dated this 25th day of June, 2015.

2 **TEACHER STANDARDS AND PRACTICES COMMISSION**

3 **STATE OF OREGON**

4
5 By *Victoria Chamberlain*

6 Victoria Chamberlain, Executive Director