

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

3 In the Matter of the)
4 Educator License of)
5 KRISTIE L. MOEDE)
6)
7) STIPULATION OF FACTS AND
) FINAL ORDER OF SUSPENSION
) OF RIGHT TO APPLY AND
) PROBATION

8 On or about February 10, 2014, the Teacher Standards and Practices
9 Commission (Commission) received reports from the North Clackamas School
10 District indicating that Kristie L. Moede (Moede) was suspected of violating
11 District Policies and Professional Standards.

12 After review of the matters alleged, Moede and the Commission agree that
13 their respective interests, together with the public interest, are best served by a
14 stipulation to certain facts, the imposition of a one (1) year suspension of her
15 right to apply for licensure followed by four (4) years of probation upon
16 reinstatement.

17 By signing below, Moede acknowledges, understands, stipulates, and
18 agrees to the following: (i) she has been fully advised of her rights to notice and a
19 hearing to contest the findings of fact, conclusions of law, and order set forth
20 below, and fully and finally waives all such rights and any rights to appeal or
21 otherwise challenge this Stipulation of Facts and Final Order of Suspension and
22 Probation (Stipulation and Final Order); (ii) this Stipulation and Final Order is a
23 public document and disclosed to the public upon request by the Commission;
24 (iii) this Stipulation and Final Order is contingent upon and subject to approval
25 and adoption by the Commission. If the Commission does not approve and adopt
26 this Stipulation and Final Order, then neither Moede nor the Commission are
27 bound by the terms herein; (iv) she has fully read this Stipulation and Final
28 Order, and understands it completely; (v) she voluntarily, without any force or
29 duress, enters into this Stipulation and Final Order and consents to issuance and
30 entry of the Stipulated Final Order below; (vi) she states that no promise or
31 representation has been made to induce her to sign this Stipulation and Final
32 Order; and (vii) she has consulted with an attorney regarding this Stipulation and
33 Final Order and has been fully advised with regard to her rights thereto, or

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.

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IT IS SO STIPULATED:

Kristie L. Moede

6-3-15
Date

Victoria Chamberlain, Executive Director
Teacher Standards and Practices Commission

6-25-15
Date

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CONCLUSION OF LAW

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

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

ORDER

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

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

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

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

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

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

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

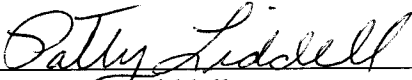
By *Victoria Chamberlain*
Victoria Chamberlain, Executive Director

CERTIFICATE OF MAILING

I HEREBY CERTIFY that I served the foregoing Stipulation of Facts and Final Order of Suspension of Right to Apply and Probation, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail – Return Receipt Requested, addressed to:

Kristie L. Moede
5335 SE 41st Ave
Portland, OR 97202-4238

DATED this 21st day of July, 2015.

By: 
Patty Liddell
Investigative Assistant

Certificate of Mailing – Moede, Kristie L.

Data Classification Level: 1 - Published
DO: Liddell