

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

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5 In the Matter of the) STIPULATION OF FACTS AND
6 Teaching License of) FINAL ORDER OF SUSPENSION
7 KATHERINE MARIE GIBBS) OF RIGHT TO APPLY AND
8) PROBATION
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12 On or about May 6, 2011, and again on February 8, 2012, the Teacher
13 Standards and Practices Commission (Commission) received reports from the
14 Beaverton School District indicating that Katherine Marie Gibbs (Gibbs) was
15 suspected of violating District Policies and Professional Standards.

16 After review of the matters alleged, Gibbs and the Commission agree that
17 their respective interests, together with the public interest, are best served by a
18 stipulation to certain facts, the imposition of a six (6) month suspension of her
19 right to apply for licensure followed by a four (4) year probation and monitoring
20 period.

21 By signing below, Gibbs acknowledges, understands, stipulates, and agrees
22 to the following: (i) she has been fully advised of her rights to notice and a
23 hearing to contest the findings of fact, conclusions of law, and order set forth
24 below, and fully and finally waives all such rights and any rights to appeal or
25 otherwise challenge this Stipulation of Facts and Final Order of Suspension
26 (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public
27 document and disclosed to the public upon request by the Commission; (iii) this
28 Stipulation and Final Order is contingent upon and subject to approval and
29 adoption by the Commission. If the Commission does not approve and adopt this
30 Stipulation and Final Order, then neither Gibbs nor the Commission are bound
31 by the terms herein; (iv) she has fully read this Stipulation and Final Order, and
32 understands it completely; (v) she voluntarily, without any force or duress, enters

1 into this Stipulation and Final Order and consents to issuance and entry of the
2 Stipulated Final Order below; (vi) she states that no promise or representation
3 has been made to induce her to sign this Stipulation and Final Order; and (vii)
4 she has consulted with an attorney regarding this Stipulation and Final Order
5 and has been fully advised with regard to his rights thereto, or waives any and all
6 rights to consult with an attorney prior to entering into this Stipulation and Final
7 Order and issuance and entry of the Stipulated Final Order below. Gibbs
8 understands that the probation will be subject to specific terms and conditions.

9 **STIPULATION OF FACTS**

- 10 1. The Commission has licensed Katherine Marie Gibbs since October 14,
11 2003. Gibbs's Initial I Teaching License, with endorsements in Multiple
12 Subjects Self Contained (ECE, ELE), and Educational Media (PP-12), was
13 issued on October 31, 2009, and expired on October 30, 2012. During all
14 relevant times, Gibbs was employed by the Beaverton School District as a
15 teacher. She resigned effective February 15, 2012, as part of a separation
16 agreement.
- 17 2. On April 12, 2011, while on duty, Gibbs' Principal and other employees
18 reported smelling the odor of an alcoholic beverage on Gibbs' person.
19 Management requested and Gibbs agreed to submit to alcohol and blood
20 screening tests. Gibbs complied with the request, and her test results
21 indicated a blood alcohol level of over the legal limit for driving in the
22 State of Oregon. Gibbs' drug screen toxicology report returned negative for
23 illegal drug use. As a result, Gibbs was placed on a last chance agreement
24 by the school district that required alcohol dependency evaluation and
25 treatment and random testing, with which Gibbs complied.
- 26 3. On January 19, 2012, while at school and on duty, Gibbs again appeared
27 intoxicated. Gibbs complied with testing requests and admitted she had
28 consumed alcohol during the lunch hour though not in the school
29 building. Gibbs' January 2012 conduct violated her last chance agreement
30 with the school district; as a result, Gibbs resigned her employment with
31 the District.

1 4. Gibbs has provided information indicating she has participated in group
2 and individual care on an extended basis.

3 IT IS SO STIPULATED:

4 _____
5 Katherine Marie Gibbs

_____ 4/17/13
Date

6 _____
7 Victoria Chamberlain, Executive Director
8 Teacher Standards and Practices Commission
9

_____ 4-29-13
Date

10 **CONCLUSION OF LAW**

11 In April 2011 and February 2012, Gibbs was working under the influence
12 of alcohol while on duty and on school property. This conduct constitutes gross
13 neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it
14 incorporates OAR 584-020-0010(5) (*Use of professional judgment*), OAR 584-
15 020-0025(2)(e) (*Using district lawful and reasonable rules and*
16 *regulations*); OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-
17 0035(3)(a) (*Maintain the dignity of the profession by respecting and obeying*
18 *the law, exemplifying personal integrity and honesty*); and OAR 584-020-
19 0040(4)(g) (*Appearing on duty or at any district-sponsored activity while*
20 *under the influence of alcohol or any controlled substance*).

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

23 **ORDER**

24 The Commission hereby adopts and incorporates herein the above findings of
25 fact, conclusions of law, and based thereon hereby imposes a six (6) month
26 suspension of right to apply for licensure as follows:

27 Katherine Marie Gibbs' right to apply for licensure is hereby suspended for
28 six (6) months following the adoption of this order.

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

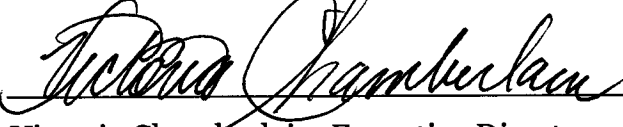
- 32 1. She will continue to participate in any post treatment
33 recommendations and recovery programs related to her sobriety.

1 2. She will comply with the Standards for Competent and Ethical
2 Performance of Oregon Educators under Oregon Administrative Rules
3 Chapter 584, Division 020.

4 Violation of any term or condition of probation shall constitute an independent
5 basis for the Commission to otherwise impose discipline, up to and including
6 revocation of Gibbs' teaching license, after first providing Gibbs with notice and
7 opportunity for hearing

8 Issued and dated this 29th day of April, 2013.

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

11 By 
12 Victoria Chamberlain, Executive Director
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