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

In the Matter of the)
Teaching License of)
JANETTE KIM ST. CLAIR)
STIPULATION OF FACTS AND
FINAL ORDER OF SUSPENSION
OF LICENSE

On or about July 7, 2010, the Teacher Standards and Practices Commission
(Commission) notified the Superintendent of the Philomath School District that Janette
Kim St. Clair (St. Clair) may have had an unauthorized conditional assignment or an
incident of teaching without a valid license.

After review of the matters alleged, St. Clair and the Commission agree that their
respective interests, together with the public interest, are best served by a stipulation to
certain facts and the imposition of a 30 day suspension of St. Clair's Initial I Teaching
and Counselor Licenses.

By signing below, St. Clair acknowledges, understands, stipulates, and agrees to
the following: (i) she has been fully advised of her rights to notice and a hearing to
contest the findings of fact, conclusions of law, and order set forth below, and fully and
finally waives all such rights and any rights to appeal or otherwise challenge this
Stipulation of Facts and Final Order of Suspension of License (Stipulation and Final
Order); (ii) this Stipulation and Final Order is a public document and disclosed to the
public upon request to the Commission; (iii) this Stipulation and Final Order is
contingent upon and subject to approval and adoption by the Commission. If the
Commission does not approve and adopt this Stipulation and Final Order, then neither
St. Clair nor the Commission are bound by the terms herein; (iv) she has fully read this
Stipulation and Final Order, and understands it completely; (v) she voluntarily, without
any force or duress, enters into this Stipulation and Final Order and consents to issuance
and entry of the Stipulated Final Order below; (vi) she states that no promise or
representation has been made to induce her to sign this Stipulation and Final Order; and

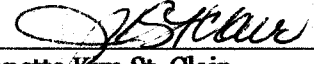

1 (vii) she has consulted with an attorney regarding this Stipulation and Final Order and
2 has been fully advised with regard to her rights thereto, or waives any and all rights to
3 consult with an attorney prior to entering into this Stipulation and Final Order and
4 issuance and entry of the Stipulated Final Order below.

5 **STIPULATION OF FACTS**

- 6 1. The Commission has licensed St. Clair as a teacher in Oregon since June 22, 2006.
7 St. Clair's current Initial I Teaching License, with an endorsement in Language Arts,
8 issued on June 22, 2006, is pending renewal as of June 22, 2009. St. Clair's Initial I
9 Counselor license issued on March 18, 2009, is scheduled to expire on June 11, 2012.
10 During all relevant times, St. Clair was employed by the Philomath School District.
- 11 2. St. Clair was hired by the Philomath School District to serve in a temporary 0.5 FTE
12 Counselor position for the 2008-2009 school year. In preparation for St. Clair's
13 service in that position, the Superintendent of the Philomath School District wrote
14 TSPC on August 13, 2008 requesting a Restricted Transitional Counseling License for
15 St. Clair.
- 16 3. On or about August 15, 2008, TSPC e-mailed St. Clair indicating that it had received
17 the correspondence from the Superintendent and a C-2 Program Completion Report
18 and would contact her with further information or instructions if the above
19 documents are incomplete or if she did not qualify for the requested license.
- 20 4. On or about August 26, 2008, St. Clair began employment for the District in the
21 temporary 0.5 FTE Counselor position.
- 22 5. On or about October 6, 2008, TSPC sent St. Clair a letter confirming again that it had
23 received the District's request for a Restricted Transitional School Counselor License,
24 and a C-2 Form from Oregon State University recommending her for the license and
25 requesting that she submit a completed C-1 application form along with \$100 for the
26 application fee.
- 27 6. On or about October 15, 2008, St. Clair sent TSPC an e-mail explaining that she had
28 nearly completed her Master's school counseling program and would soon be eligible
29 for the Initial I School Counselor License and inquiring whether she still needed to
30 submit a C-1 Form and \$100 fee for the Restricted Transitional license, or if she
31 could wait and to apply until she had completed the initial license requirements
32 foregoing the Restricted Transitional School Counselor License.

- 1 7. On or about October 16, 2008, TSPC responded to St. Clair's e-mail request with the
- 2 following: "You can wait and apply for the Initial license if you meet all
- 3 requirements and your district does not need you to be licensed right away. You
- 4 cannot work as a counselor without a school counselor license." St. Clair shared
- 5 TSPC's October 16th response with her District Superintendent.
- 6 8. On December 26, 2009, TSPC sent a letter to St. Clair reiterating the information in
- 7 its letter of October 6, 2008.
- 8 9. On January 14, 2009, TSPC received a C-2 form from Oregon State University
- 9 recommending St. Clair for the Initial I School Counselor License.
- 10 10. On February 18, 2009, TSPC received St. Clair's application for the Initial I School
- 11 Counselor License.
- 12 11. On March 18, 2009, TSPC issued St. Clair the Initial I School Counselor license.
- 13 12. St. Clair served without a valid license as a School Counselor for the period August 26, 2008
- 14 through March 18, 2009.

15 IT IS SO STIPULATED:

16 
 17 _____
 18 Janette Kim St. Clair
 19 
 20 _____
 21 Victoria Chamberlain, Executive Director
 22 Teacher Standards and Practices Commission

7-14-11

 Date
 7-27-11

 Date

22 **CONCLUSION OF LAW**

23 St. Clair served as a school counselor from August 26, 2008 through March 18, 2009,
 24 without a School Counselor License. This conduct constitutes gross neglect of duty in violation
 25 of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use*
 26 *professional judgment*), OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-
 27 0035(2)(a) (*Apply for, accept, offer, or assign a position of responsibility only on on the basis of*
 28 *professional qualifications, and will adhere to the conditions of a contract or the terms of the*
 29 *appointment*) and OAR 584-020-0040(4)(r) (*knowingly working without a license*).

30 **ORDER**

1 The Commission adopts and incorporates herein the above findings of fact and
2 conclusions of law, and based thereon, imposes a 30 day suspension of Janette Kim St.
3 Clair's Initial I School Counselor License and suspends her right to apply for her Initial I
4 Teaching License for 30 days.

5 Issued and dated this 27th day of July, 2011.

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

8 By *Victoria Chamberlain*
9 Victoria Chamberlain, Executive Director
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