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BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION

OF THE STATE OF OREGON

3	In the Matter of the)	STIPULATION OF FACTS,
4	Teaching License of)	ORDER OF REPRIMAND
5	MARY ALIDA PEAKE)	AND PROBATION

6 On or about April 21, 2004, the Teacher Standards and Practices Commission
7 (Commission) received a complete application for renewal of Standard Teaching License from
8 Mary Alida Peake (Peake). Ms. Peake responded affirmatively to character questions 8 and 10.
9 Ms. Peake provided a detailed explanation together with documentation of a conviction of
10 Attempted Possession of a Controlled Substance.

11 Ms. Peake fully cooperated with the Commission's investigation. After review of the
12 matters alleged, Ms. Peake and the Commission agree that their respective interests, together
13 with the public interest, are best served by a stipulation to certain facts, the imposition of a
14 public reprimand and a four (4) year probation.

15 This Order sets forth the facts upon which the parties have agreed and the sanction to
16 be imposed. Ms. Peake stipulates that there are sufficient facts contained in the Commission's
17 files and records to support the findings of fact and conclusions of law set forth below. In
18 entering into this stipulation, Ms. Peake waives the right to a hearing to contest the finding of
19 fact, conclusion of law and order set forth below.

20 This stipulation is contingent upon approval and adoption of the Order by the
21 Commission. If the Commission does not adopt this Order, neither Ms. Peake nor the
22 Commission are bound by these Stipulations and Ms. Peake retains all rights to a hearing on
23 the allegations.

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STIPULATION OF FACTS

1. The Commission issued a Standard Teaching License to Ms. Peake on December 11, 1998. The license expired on December 23, 2003.

2. Ms. Peake is employed as an elementary teacher for Portland Public Schools. Ms. Peake has received positive evaluations from Portland Public Schools since she began her employment with the district in 1990.

3. Ms. Peake knowingly served without a license from December 23, 2003, to April 20, 2004.

4. On February 6, 2002, Ms. Peake was convicted of Attempted Possession of a Controlled Substance (meth), a misdemeanor, in the Circuit Court of the State of Oregon for the County of Clackamas. The Court sentenced Ms. Peak to 18 months bench probation, 80 hours community service and fined her \$750.

5. Ms. Peake provided information to the District regarding her conviction. The District agreed to continuation of employment contingent upon completion of a chemical dependency assessment and compliance with any treatment if referred.

6. On April 26, 2004, Ms. Peake participated in a chemical dependency assessment at Cascade Centers, Inc.

7. On April 28, 2004, Cascade Centers, Inc, provided a written statement to the Commission confirming that Ms. Peake met with a counselor for an assessment and provided a Drug Toxicology Panel. Ms. Peake tested negative for Amphetamines, Cannabinoids and Cocaine. Ms. Peake was not referred for treatment by the evaluator.

IT IS SO STIPULATED:

Mary A. Peake
Mary Alida Peake

4-30-04
Date

Victoria Chamberlain
Victoria Chamberlain, Executive Director
Teacher Standards and Practices Commission

4-29-04
Date

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CONCLUSIONS OF LAW

2 Mary Alida Peake knowingly failed to maintain a valid teaching license pursuant to OAR
3 584-050-0030(1). This misconduct constitutes Gross Neglect of Duty in violation of OAR 584-
4 020-0040(4)(c). Mary Alida Peake violated OAR 584-020-0040(5)(c) regarding her conviction
5 for Possession of a Controlled Substance. This misconduct constitutes Gross Unfitness. The
6 Commission's authority to impose discipline in this matter is based upon ORS 342.175.

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1 **ORDER**

2 The Commission adopts the above Stipulation of Facts, imposes a public reprimand and
3 authorizes the issuance of a Standard Teaching License to Ms. Peake subject to all standard
4 terms and conditions.

5 Furthermore, the Commission imposes a four (4) year probation upon Ms. Peake to
6 commence the date of issuance of said license and subject to the following special terms of
7 probation:

8 1. Ms. Peake shall notify the Commission of any discipline imposed upon her by an
9 employing school district for any reason during the term of this probation including any
10 accusation that she violated her agreement for continued employment with Portland Public
11 Schools.

12 2. Ms. Peake shall report in writing within ten days to the Executive Director of the
13 Commission any arrest or citation for any felony, misdemeanor, or major traffic violation; and

14 3. Ms. Peake shall comply with the Standards for Competent and Ethical Performance
15 of Oregon Educators under Oregon Administrative Rules, Chapter 584, Division 020.

16 Violation of any of the terms of probation shall constitute an independent basis for the
17 Commission to revoke Ms. Peake's teaching license or otherwise impose discipline, after first
18 providing Ms. Peake with notice and opportunity for hearing.

19 IT IS SO ORDERED this 7th day of May, 2004.

20 TEACHER STANDARDS AND PRACTICES COMMISSION

21
22 By: Victoria Chamberlain
23 Victoria Chamberlain, Executive Director

24 Approved as to form:

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27 Aruna Jane Masih
28 Aruna Masih, OSB #97324
29 Attorney for Mary Alida Peake

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