

1 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 STEPHANI FOSTER aka Stephani Pahle ) AND PROBATION

6 On March 11, 2005, the Teacher Standards and Practices Commission (Commission)  
7 received a report from Salem-Keizer Public Schools indicating that Stephani Foster (Foster) was  
8 convicted in Polk County on charges of Driving Under the Influence and Careless Driving in  
9 connection with an incident that occurred on March 5, 2005.

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

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

21 This Stipulation is contingent upon approval and adoption of the Order by the full  
22 Commission. If the Commission does not adopt this Order, neither Ms. Foster nor the  
23 Commission are bound by these stipulations and Ms. Foster retains the right to a  
24 hearing on the allegations.

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**STIPULATION OF FACTS**

2           1. The Commission has licensed Stephani Foster since July 11, 1986.

3 Ms. Foster holds a Basic Teaching License valid April 30, 2003, through April 25, 2006, with a  
4 Basic Elementary Endorsement.

5           2. Ms. Foster was employed as a teacher in Salem area parochial schools from 1986-  
6 1992. Ms. Foster began serving as a teacher for the Salem-Keizer School District in 1992. She  
7 is currently employed by the District.

8           3. On September 30, 1999, Ms. Foster was arrested for Driving Under the Influence of  
9 Intoxicants (DUI) in Polk County, Oregon. On March 5, 2001, Ms. Foster completed a  
10 Diversion program and the DUI charge was dismissed in Polk County Circuit Court.

11           4. On December 10, 2001, Ms. Foster appeared on duty under the influence of alcohol  
12 at Walker Middle School. Pursuant to a Last Chance Agreement, Ms. Foster entered a  
13 treatment program on January 2, 2002. On January 21, 2003, Ms. Foster successfully  
completed a one year outpatient treatment program at Serenity Lane.

15           5. On September 16, 2003, Ms. Foster the District placed Ms. Foster on medical leave  
16 for residential treatment at Serenity Lane. Ms. Foster completed the program and returned to  
17 work on November 12, 2003.

18           6. On March 5, 2005, Ms. Foster was arrested in Polk County Oregon for DUII,  
19 Recklessly Endangering and Criminal Mischief 1<sup>st</sup> Degree as a result of an automobile crash.  
20 Ms. Foster pled guilty and was convicted of DUII and Reckless Driving in Polk County Circuit  
21 Court on May 3, 2005. The court sentenced Ms. Foster to 10 days in jail and 36 months  
22 probation.

23           7. On July 28, 2005, Ms. Foster entered into a Last Chance Agreement with Salem-  
24 Keizer Public Schools.

25           8. On January 5, 2006, Ms. Foster completed a six month alcohol treatment program at  
26 Tahana Whitecrow Outpatient.

1 9. Ms. Foster recognizes that she has an alcohol dependency problem and has agreed  
2 to a plan of treatment and aftercare as prescribed by her treatment provider.

3 IT IS SO STIPULATED:

4 Stephani Foster  
5 Stephani Foster

4/13/06  
Date

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

4-28-06  
Date

9 **CONCLUSIONS OF LAW**

10 Stephani Foster violated OAR 584-020-0040(4)(g) by appearing on duty while under the  
11 influence of alcohol on December 10, 2001, at Walker Middle School. This misconduct  
12 constitutes Gross Neglect of Duty. Ms. Foster engaged in criminal conduct by driving under the  
13 influence of intoxicants on September 30, 1999, in violation of OAR 584-020-0040(5)(e).  
14 Ms. Foster's convictions for DUII and Reckless Driving in Polk County Circuit Court on March 3,  
15 2005, constitute Gross Unfitness pursuant to OAR 584-020-0040(5)(e) and OAR 584-020-  
16 0040(5)(c). The Commission's authority to impose discipline in this matter is based upon ORS  
17 342.175.

18 **ORDER**

19 The Commission adopts the above Stipulation of Facts and hereby imposes a Public  
20 Reprimand upon Ms. Foster. This Stipulation of Facts, Order and Probation constitute the  
21 Reprimand.

22 Furthermore, the Commission imposes a four (4) year probation upon Ms. Foster to  
23 commence the date of adoption of this order and subject to the following terms and conditions:

24 1. Ms. Foster shall, at her own initiative and expense, continue to obtain treatment for  
25 her alcohol dependency as recommended by her alcohol treatment provider and shall abstain  
26 from the consumption of alcohol;

1           2. During the period of her probation, Ms. Foster shall submit to the Executive Director  
2 of the Commission reports of her compliance with the treatment plans or aftercare. Ms. Foster  
3 shall provide these reports every six (6) months during her probation on or before:  
4 November 12, 2006; May 12, 2007; November 12, 2007; May 12, 2008; November 12, 2008;  
5 May 12, 2009; November 12, 2009; and May 12, 2010.

6           3. Ms. Foster shall report in writing within ten days to the Executive Director of the  
7 Commission any arrest or citation for any felony, misdemeanor, major traffic violation or  
8 violation of criminal probation; and

9           4. Ms. Foster shall comply with all Standards for Competent and Ethical Performance of  
10 Oregon Educators pursuant to Oregon Administrative Rules, Chapter 584, Division 020.

11           If Ms. Foster does not comply with her treatment plan based on the reports of her  
12 treatment provider or as otherwise determined by the Executive Director, she shall be in  
13 violation of the terms of this probation. Violation of the terms of this probation may constitute an  
14 independent basis for the Commission to impose discipline, up to and including revocation of  
15 Ms. Foster's teaching license subject to Ms. Foster's right to a hearing on the issue of whether  
16 she violated probation.

17 IT IS SO ORDERED this 15 day of May, 2006.

18           TEACHER STANDARDS AND PRACTICES COMMISSION

19           By *Victoria Chamberlain*  
20           Victoria Chamberlain, Executive Director  
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22           Approved as to form:

23           *Aruna Masih*  
24           Aruna Masih, OSB# 97324  
25           Attorney for Stephani Foster  
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