

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
 2
 3 OF THE STATE OF OREGON
 4

5 In the Matter of the Teaching License of)
 6) STIPULATION OF FACTS,
 7 Daniel Peter Sitt) ORDER OF REPRIMAND AND
 8) PROBATION
 9

10 On or about July 2, 2001, the Teacher Standards and Practices Commission
 11 (Commission) received an application for a reinstatement of an Expired License from
 12 Daniel Peter Sitt (Sitt). Mr. Sitt reported on in the character question section of
 13 Application for Educator Licensure Form C-1 that he was convicted of a crime (number
 14 8) and that he pled guilty or No Contest relative to a crime (number 10). Mr. Sitt
 15 provided documentation indicating that he pled guilty to and was convicted of Driving
 16 Under the Influence of Intoxicants (DUII) on June 29, 2000. Oregon Computerized
 17 Criminal History for records for Mr. Sitt indicate that he pled guilty to and was granted
 18 Diversion for DUII on or about January 14, 1990, he pled guilty and was convicted of
 19 DUII on September 3, 1991.

20 After review of the facts in this matter, Mr. Sitt and the Executive Director agree
 21 that their respective interests, together with the public interests, are best served by a
 22 stipulation to certain facts, a reprimand followed by a probation of three (3) years.

23 This Order sets forth the facts upon which the parties have agreed and the
 24 sanction to be imposed. In entering into this stipulation, Mr. Sitt waives the right to a
 25 hearing to contest the findings of fact, conclusion of law and order set forth below. Mr.
 26 Sitt understands that the Commission will impose a three (3) year probation with
 27 specific conditions.

1 This stipulation is contingent upon approval and adoption of the Order by the
2 Commission. If the Commission does not adopt this Order, neither Mr. Sitt nor the
3 Commission are bound by these Stipulations and Mr. Sitt retains all rights to a hearing
4 on the allegations.

5 STIPULATION OF FACTS

6 1. On or about July 2, 2001, The Commission received an application for a
7 Teaching License from Daniel Peter Sitt. Mr. Sitt's Standard Teaching License expired
8 on March 2, 2001.

9 2. Mr. Sitt is employed by the Roseburg School District as a Language Arts
10 Teacher.

11 3. On or about January 14, 1990, Mr. Sitt pled guilty to Driving Under the Influence
12 of intoxicants – Alcohol (DUII) in Justice Court for Linn County. He completed a
13 Diversion on January 14, 1991.

14 4. On or about September 3, 1991, Mr. Sitt pled guilty and was convicted of DUII
15 (Alcohol) in Douglas County Circuit Court. The Court sentenced Sitt to serve six days in
16 jail; suspended his driver's license for one year; fined him \$588.00 and required an
17 alcohol evaluation by Mark Worden.

18 5. On or about June 29, 2000, Mr. Sitt pled guilty and was convicted of DUII
19 (Marijuana) in Douglas County Circuit Court. The Court ordered imposition of the
20 sentence suspended and placed Sitt on supervised Probation for 18 months. As a
21 condition of probation he was ordered to serve 2 days in jail and cannot possess or use
22 alcoholic beverages. In addition, the Court ordered Sitt to attend a DUII Victims' panel;
23 suspended his driver's license one year; required an evaluation by Mark Worden,

1 Alcohol and Drug Evaluation Specialist; required him to "Enroll in and successfully
2 complete treatment required within one year and pay cost"; and fined him \$1000.00.

3 6. Mr. Sitt completed a 90-day out-patient substance abuse program on or about
4 December 14, 2000.

5 IT IS SO STIPULATED:

6 Daniel Peter Sitt 10/23/01
7 Daniel Peter Sitt Date

8 David V. Myton 10/16/01
9 David V. Myton, Executive Director Date

10 **CONCLUSION OF LAW**

11 Sitt's criminal convictions for Driving Under the Influence of Intoxicants (DUI) on
12 September 3, 1991, and June 29, 2000, constitute Gross Unfitness as defined in
13 OAR 584-020-0040(5)(c). Sitt's admission of and engagement in criminal conduct
14 including plea of guilty for DUI on January 14, 1990 constitutes Gross Unfitness as
15 defined in OAR 584-020-0040(5)(e).

16 **ORDER**

17 The Commission adopts the above Findings of Fact and orders a Public
18 Reprimand for conviction and/or behavior constituting the crimes of Driving Under the
19 Influence. This Order shall serve as the Public Reprimand.

20 The Commission authorizes issuance of a Teaching License to Daniel Peter Sitt
21 subject to all standard terms and conditions and subject to the following special terms of
22 probation:

- 23 1. The Commission places Mr. Sitt on a three (3) year probation to commence upon
24 the issuance date of a Teaching License.

1 2. The probation shall remain in effect subject to the following conditions:

2 a. Mr. Sitt shall conduct himself as a law-abiding citizen;

3 b. Mr. Sitt shall report in writing within ten days to the Executive Director of the
4 Commission any arrest or citation for any felony, misdemeanor, major traffic
5 violation;

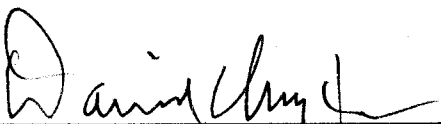
6 c. Mr. Sitt shall continue to maintain his sobriety and abstain from the use of all
7 controlled substances; and

8 d. Mr. Sitt shall comply with the Standards for Competent and Ethical
9 Performance of Oregon Educators under OAR Chapter 584, Division 20.


10 Violation of any of the terms of probation shall constitute an independent basis
11 for the Commission to revoke Mr. Sitt's teaching license or otherwise impose discipline,
12 after first providing Mr. Sitt with notice and opportunity for hearing.

13 Dated this 16th day of November 2001.

14 TEACHER STANDARDS AND PRACTICES COMMISSION

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16
17 By: 
18 David V. Myton, Executive Director

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20 Approved as to form:

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24 
25 John S. Bishop II, OSB# 89022
26 Attorney for Daniel Peter Sitt