

1 and consents to issuance and entry of the Stipulated Final Order below; (vi) she states that no
2 promises or representation has been made to induce her to sign this Stipulation and Final Order; and
3 (vii) she has consulted with an attorney regarding this Stipulation and Final Order and has been fully
4 advised with regard to her rights thereto, or waives any and all rights to consult with an attorney prior
5 to entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order
6 below. This Order sets forth the facts upon which the parties have agreed and the sanction to be
7 imposed. Ms. Gilbertson stipulates that there are sufficient facts contained in the Commission's files
8 and records to support the findings of fact and conclusions of law set forth below. In entering into this
9 stipulation, Ms. Gilbertson waives the right to a hearing to contest the findings of fact, conclusion of
10 law and order set forth below.

11 **STIPULATION OF FACTS**

12 1. The Commission has licensed Ms. Gilbertson since August 6, 2006.


13 Ms. Gilbertson's Initial I Teaching License, with an endorsement in multiple subjects self contained,
14 expired October 14, 2007.

15 2. On or about October 4, 2006 Gilbertson had several minors present in her home while she
16 used marijuana. When police arrived, Gilbertson initially denied using marijuana, but following a
17 search of her home, she admitted to smoking it while minors were present.


18 4. On January 3, 2007 Gilbertson was convicted of Possession of Marijuana in the Josephine
19 County Circuit Court.

20 5. Gilbertson was untruthful or misrepresented her involvement in these incidents during the
21 Commission's investigation.

22 **IT IS SO STIPULATED AND AGREED TO:**

23 
24 Catherine Gilbertson

5/19/08
Date

25 
26 Victoria Chamberlain, Executive Director
27 Teacher Standards and Practices Commission
28

5-27-08
Date

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CONCLUSIONS OF LAW

Catherine Gilbertson's conviction for possession of marijuana constitutes Gross Neglect of Duty in violation of OAR 584-020-0040(5)(c). Gilbertson's use of marijuana in the presence of minors constitutes Gross Neglect of Duty of in violation of OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(3)(a). Gilbertson's untruthful statements to the Commission during its investigation constitute Gross Neglect of Duty in violation of OAR 584-020-0040(4)(c). The Commission has the authority to impose discipline in this matter under ORS 342.120 through 342.430 and OAR Chapter 584.

FINAL ORDER

The Commission adopts and incorporates herein the above finding of facts, conclusions of law, and based thereon, suspends the license of Catherine Gilbertson for a period of six (6) months. This suspension will go into effect upon the reinstatement of Gilbertson's license.

Issued and dated this 3rd day of July, 2008.

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

By *Victoria Chamberlain*
Victoria Chamberlain, Executive Director