



1 the Commission are bound by these Stipulations and Mr. Valenzuela retains all rights to  
2 a hearing on the allegations.

3 **STIPULATION OF FACTS**

4 1. Mr. Valenzuela holds an Oregon Basic Teaching License valid October 24,  
5 2000, to September 23, 2003, with endorsements in Basic Physical Education.  
6 On August 2, 2002. Mr. Valenzuela submitted a complete application for an Initial  
7 Administrator License.

8 2. Mr. Valenzuela is employed by Three Rivers/Josephine County School District  
9 as a teacher at Illinois Valley High School.

10 3. Mr. Valenzuela was granted Diversion for DUII in the Municipal Court for  
11 Monmouth, Oregon on November 16, 1994. He completed the Diversion on November  
12 15, 1995.

13 4. On June 15, 1995, Mr. Valenzuela was convicted of Criminal Trespass II in the  
14 District Court of the State of Oregon for Deschutes County.

15 5. On June 17, 2002, Mr. Valenzuela was convicted of DUII in the Circuit Court for  
16 the State of Oregon for the County of Josephine. The court sentenced Mr. Valenzuela  
17 to three years probation, 10 days in jail and ordered him to pay a monetary judgment of  
18 \$1,284.00

19 IT IS SO STIPULATED:

20  12-3-2002  
21 David Anthony Valenzuela Date

22  11-26-02  
23 Victoria Chamberlain, Executive Director Date  
24  
25

**CONCLUSION OF LAW**

26 David Anthony Valenzuela's criminal convictions for DUII and Criminal  
27 Trespass II, constitute gross unfitness as defined in OAR 580-020-0040(5)(c).

1 Conviction of a crime may also be used as evidence to establish an applicant's lack of  
2 fitness to serve as an educator pursuant to ORS 342.143. The Commission's authority  
3 to impose discipline in this matter is based upon ORS 342.175.

4 **ORDER**

5 The Commission adopts the above Stipulation of Facts and orders a Public  
6 Reprimand for criminal convictions. This Order shall serve as the Public Reprimand.

7 The Commission authorizes the issuance of an Initial Administrator License  
8 subject to all standard terms and conditions placing Mr. Valenzuela on a three (3) year  
9 probation to commence on the date of issuance of said license subject to the following  
10 terms:

- 11 1. Mr. Valenzuela shall obey all laws, municipal, county, state and federal;
- 12 2. Mr. Valenzuela shall abstain from the use of intoxicants;
- 13 3. Mr. Valenzuela shall successfully complete a DUII treatment program as directed  
14 by Josephine County Mental Health;
- 15 4. Mr. Valenzuela shall pay fines, fees, restitution, or other fees as ordered by the  
16 court; and
- 17 5. Mr. Valenzuela shall not drive without valid permit, license, or insurance.

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

21 IT IS SO ORDERED this 10<sup>th</sup> day of January 2003.

22 TEACHER STANDARDS AND PRACTICES COMMISSION

23 By: Victoria Chamberlain  
24 Victoria Chamberlain, Executive Director

[112102]