

BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
OF THE STATE OF OREGON

In the Matter of the
Teaching License of

GELACIO FILIBERTO GEENO VALDEZ

STIPULATION OF FACTS,
REPRIMAND AND ORDER OF
PROBATION

On or about October 18, 2000, the Teacher Standards and Practices Commission (Commission) received an application for Substitute Teaching Licensure from Gelacio Valdez. On the application, Valdez failed to disclose that he had been convicted on several different occasions. The Executive Director denied the application and informed Valdez of his opportunity for hearing on lack of fitness to serve as an educator. Valdez requested a hearing but prior to setting a date, Valdez and the Executive Director have determined that their interests and the interests of the Commission are best served by a Stipulation to the facts below, a Reprimand and an Order of Probation.

FINDINGS OF FACT

1. On or about October 18, 2000, Valdez submitted an Application for Educator License Form C-1. On that application, Valdez failed to disclose his convictions by answering "no" to character question 8.
2. On or about December 5, 1969, Valdez was arrested for Selling a Narcotic Drug by the Klamath Falls Police Department. Valdez was sentenced to three years probation.
3. On or about January 10, 1983, Valdez was arrested for Malicious Mischief 2 by the Sheriff's Office in Everett, Washington.
4. On or about March 27, 1983, Valdez was arrested for DUII by the State Police in Klamath Falls. Valdez received a one-year diversion. The case was dismissed on October 19, 1984.
5. On or about June 17, 1983, Valdez was arrested for DWI by the Boise Sheriff's Office.
6. On or about July 8, 1983, Valdez was arrested and fingerprinted, by the Sheriff's Office in Everett, Washington, on a warrant for failure to appear in court regarding the Malicious Mischief matter.
7. The parties acknowledge that upon adoption of this Stipulation of Facts, Reprimand and Order of Probation the Commission will place Valdez on probation with the Commission for two years commencing January 11, 2001.

DISCUSSION

Valdez's failures to disclose prior arrests and convictions constitute gross neglect of duty under ORS 342.175 and OAR 580-20-040.

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

IT IS SO STIPULATED

Gelacio Filiberto Valdez 1/8/01
Gelacio Valdez Date

David V. Myton 1/5/01
David V. Myton Date
Executive Director

ORDER

The Commission adopts the above Findings of Fact and orders a public reprimand for failure to disclose prior convictions for Controlled Substance and Malicious Mischief.

The Commission authorizes issuance of a Substitute Teaching License to Valdez subject to all standard terms and conditions and subject to the following special terms of probation:

1. The Commission places Valdez on probation to commence January 12, 2001.
2. The probation shall remain in effect subject to the following conditions:
 - a. Valdez shall conduct himself as a law-abiding citizen.
 - b. Valdez shall report in writing within ten days to the Executive Director of the Commission any arrest or citation for any felony, misdemeanor, or major traffic violation.
 - c. Valdez shall comply with the Standards for Competent and Ethical Performance of Oregon Educators under OAR 584, Division 20.

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

Dated this 12th day of January 2001.

TEACHER STANDARDS AND PRACTICES COMMISSION

By: *David V. Myton*
David V. Myton
Executive Director