## 1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON 3 In the Matter of the STIPULATION OF FACTS, 4 Licensure of ORDER OF REPRIMAND AND 5 DAVID ANTHONY VALENZUELA 6 7 On or about August 2, 2002, the Teacher Standards and Practices Commission 8 (Commission) received an application for an Initial Administrator License from David 9 Anthony Valenzuela (Valenzuela). Mr. Valenzuela reported criminal convictions on the 10 character question section of Application for Educator License Form C-1. 11 Mr. Valenzuela provided documentation of a conviction for Driving Under the Influence 12 of Intoxicants (DUII) on June 17, 2002, in Josephine County Circuit Court. 13 Mr. Valenzuela fully cooperated with the Commission's investigation. After 14 review of the facts in this matter, Mr. Valenzuela and the Executive Director agree that 15 their respective interests, together with the public interest, are best served by a 16 stipulation to certain facts, a reprimand followed by a probation of three (3) years. 17 This Order sets forth the facts upon which the parties have agreed and the 18 sanction to be imposed. Mr. Valenzuela stipulates that there are sufficient facts 19 contained in the Commission's files and records to support the findings of fact and 20 conclusions of law set forth below. In entering into this stipulation, Mr. Valenzuela 21 waives the right to a hearing to contest the findings of fact, conclusion of law and order 22 set forth below. Mr. Valenzuela understands that the Commission will impose a three 23 (3) year probation with specific conditions. 24 This stipulation is contingent upon approval and adoption of the Order by the

Commission. If the Commission does not adopt this Order, neither Mr. Valenzuela nor

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1 the Commission are bound by these Stipulations and Mr. Valenzuela retains all rights to 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. 2. Mr. Valenzuela is employed by Three Rivers/Josephine County School District 8 9 as a teacher at Illinois Valley High School. 3. Mr. Valenzuela was granted Diversion for DUII in the Municipal Court for 10 Monmouth, Oregon on November 16, 1994. He completed the Diversion on November 11 12 15, 1995. 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. 5. On June 17, 2002, Mr. Valenzuela was convicted of DUII in the Circuit Court for 15 16 the State of Oregon for the County of Josephine. The court sentenced Mr. Valenzuela to three years probation, 10 days in jail and ordered him to pay a monetary judgment of 17 18 \$1,284.00 19 IT IS SO STIPULATED: 20 21 atenzuela 22 23 Victoria Chamberlain, Executive Director Date 24 25 **CONCLUSION OF LAW** 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).

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1	Conviction of a crime may also be used as evidence to establish an applicant's lack of
	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;
	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 day of January 2003.
22	TEACHER STANDARDS AND PRACTICES COMMISSION
23 24	By: The sound hamberlain
	Victoria Chamberlain, Executive Director [112102]