

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

3 In the Matter of the) STIPULATION OF FACTS
4 Teaching License of) AND
5 ARMANDO RUIZ) ORDER OF PROBATION
6

7 On August 14, 2003, Armando Ruiz (Ruiz) submitted an application for a Transitional
8 Teaching License to the Teacher Standards and Practices Commission (Commission).
9 Mr. Ruiz responded affirmatively to character questions 8, 10 and 11. Mr. Ruiz provided an
10 explanation regarding his criminal convictions in California.

11 After review of the facts in this matter, Mr. Ruiz and the Executive Director agree that their
12 respective interests, together with the public interests, are best served by a stipulation to certain facts
13 and a four (4) year probation upon issuance of a teaching license.

14 This Order sets forth the facts upon which the parties have agreed and the sanction to be
15 imposed. Mr. Ruiz stipulates that there are sufficient facts contained in the Commission's files and
16 records to support the findings of fact and conclusions of law set forth below. In entering into this
17 stipulation, Mr. Ruiz waives the right to a hearing to contest the findings of fact, conclusions of law
18 and order set forth below. Mr. Ruiz enters into this agreement with the knowledge that the
19 Commission will impose a four (4) year probation with specific conditions including the requirement
20 that Mr. Ruiz complete an alcohol evaluation within the first six months of said probation.

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

24 **STIPULATION OF FACTS**

25 1. On August 14, 2003, Mr. Ruiz submitted an Application For Educator License Form C-1 to
26 the Commission. He responded affirmatively to character questions 8, 10 and 11.

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1 2. In 1998, Mr. Ruiz was arrested on charges of DISORDERLY CONDUCT and MINOR
2 ENTER/REMAIN ON LIQUOR PREMIS. On July 6, 1998, Mr. Ruiz pled guilty and was convicted of
3 POSSESSION OR PRESENTATION OF FALSE I.D., in the State of California, Humbolt County
4 Superior and Municipal Court, Eureka Division. All other charges were dismissed.

5 3. In 1999, Mr. Ruiz was arrested for assaulting his girl friend on the sidewalk in Arcata,
6 California. The couple had been drinking in a bar, and were walking home at the time of the incident.
7 Mr. Ruiz pled guilty to Disturbing the Peace. Mr. Ruiz completed a 52 week anger management
8 program. On August 20, 2001, the misdemeanor conviction for Disturbing the Peace was dismissed
9 in the State of California, Superior Court, County of Humboldt, Eureka Division.

10 4. On August 20, 2001, Mr. Ruiz was convicted of Driving Under Influence in the State of
11 California, Superior Court, County of Humboldt, Eureka Division. On January 14, 2002, Mr. Ruiz
12 completed a California DMV program at Humboldt Alcohol Recovery Treatment

13 IT IS SO STIPULATED:

14
15 Armando Ruiz
16 Armando Ruiz

8/19/03
Date

17
18 Karen Edwards
19 Karen Edwards, Deputy Director

8/19/03
Date

20 **CONCLUSION OF LAW**

21 Mr. Ruiz' alcohol related criminal convictions and criminal conduct constitute Gross Unfitness
22 as defined in OAR 584-020-0040(5)(c) and OAR 584-020-0040(5)(e). Criminal convictions and
23 criminal conduct, even in the absence of conviction, may be used as evidence to establish an
24 applicant's lack of fitness to serve as an educator pursuant to OAR 584-050-0006. The Commission's
25 authority to impose discipline in this matter is based upon ORS 342.143 and ORS 342.175.

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ORDER

2 The Commission adopts the above Stipulation of Facts and authorizes the issuance of a
3 Transitional Teaching License to Mr. Ruiz subject to all standard terms and conditions.

4 Furthermore, the Commission imposes a four (4) year probation upon Mr. Ruiz to commence
5 the date of issuance of said license and subject to the following special terms of probation:

6 1. Mr. Ruiz shall abstain from the consumption of alcoholic beverages during the term of this
7 probation;

8 2. Mr. Ruiz shall submit to an alcohol dependency/abuse evaluation and provide a copy of
9 that evaluation to Victoria Chamberlain, Executive Director, prior to March 2, 2004;

10 3. If referred for treatment, Mr. Ruiz shall, at his own initiative and expense, obtain treatment
11 for his alcohol dependency as recommended by his alcohol treatment provider;

12 4. If referred for treatment, Mr. Ruiz shall submit to the Executive Director of the Commission
13 reports of his compliance with the aftercare treatment plan during the period of his probation.

14 Mr. Ruiz shall provide these reports every six (6) months during his probation, on or before:
15 September 2, 2004; March 2, 2005; September 2, 2005; March 2, 2006; September 2, 2006; and
16 March 2, 2007;

17 5. Mr. Ruiz shall report in writing within ten days to the Executive Director of the Commission
18 any arrest or citation for any felony, misdemeanor, or major traffic violation; and

19 6. Mr. Ruiz shall comply with the Standards for Competent and Ethical Performance of
20 Oregon Educators under Oregon Administrative Rules, Chapter 584, Division 020.

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

24 IT IS SO ORDERED this 9th day of October, 2003.

25 TEACHER STANDARDS AND PRACTICES COMMISSION

26
27 BY: *Victoria Chamberlain*
28 Victoria Chamberlain, Executive Director

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