1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON 3 In the Matter of the STIPULATION OF FACTS AND 4 Educator License of FINAL ORDER OF PUBLIC) 5 LORY BOUDREAUX **REPRIMAND AND PROBATION**) 6 7 On February 20, 2018, the Teacher Standards and Practices Commission 8 (Commission) received a report from the Eugene School District indicating possible 9 professional misconduct on the part of licensed educator, Lory A. Boudreaux 10 (Boudreaux). 11 After review of the matters alleged, Boudreaux and the Commission agree that 12 their respective interests, together with the public interest, are best served by a 13 stipulation to certain facts, the imposition of a Public Reprimand, and a period of 14 probation. 15 This Order sets forth the facts upon which the parties have agreed and the 16 sanction to be imposed. Boudreaux stipulates that there are sufficient facts contained in 17 the Commission's files and records to support the findings of fact and conclusions of law 18 set forth below. In entering into this stipulation, Boudreaux waives the right to a hearing 19 to contest the findings of fact, conclusions of law and order set forth below. 20 By signing below, Boudreaux acknowledges, understands, stipulates, and agrees 21 to the following: (i) she has been fully advised of her rights to notice and a hearing to 22 contest the findings of fact, conclusions of law, and order set forth below, and fully and 23 finally waives all such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Public Reprimand and Probation (Stipulation and 24 25 Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to 26 the public upon request by the Commission; (iii) this Stipulation and Final Order is 27 contingent upon and subject to approval and adoption by the Commission. If the 28 Commission does not approve and adopt this Stipulation and Final Order, then neither 29 Boudreaux nor the Commission are bound by the terms herein; (iv) she has fully read 30 this Stipulation and Final Order, and understands it completely; (v) she voluntarily, 31 without any force or duress, enters into this Stipulation and Final Order and consents to 32 issuance and entry of the Stipulated Final Order below; (vi) she states that no promise or 33 representation has been made to induce her to sign this Stipulation and Final Order; and 34 (vii) she has consulted with an attorney regarding this Stipulation and Final Order and

has been fully advised with regard to her rights thereto, or waives any and all rights to

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consult with an attorney prior to entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order below.

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STIPULATION OF FACTS

- The Commission has licensed Boudreaux since August 26, 2009. Boudreaux holds a Preliminary Teaching License, with an endorsement in Special Education: Generalist (PK-12); valid from November 16, 2016 through November 29, 2019. During all relevant times, Boudreaux was employed by Eugene School District (ESD).
- 2. On February 20, 2018, the Commission received a district report alleging Boudreaux had violated professional standards and local policy by administering a special education student his medicinal Cannabidiol (CBD) in violation of Eugene School District policy. Investigation determined the following:
 - On or about September 5, 2017, Boudreaux emailed district staff seeking
 clarification of district policy on the administration of CBD oil to students
 with a doctor's order (prescription). Boudreaux was informed that CBD
 oil could not be administered by district staff. CBD oil could be
 administered by the student's parents but not on school grounds. Parents
 would be required to check the student out, remove them from the
 building and campus, administer the oil, and then return them to campus.
 - Special education student RK received such CBD oil treatments daily. RK's parents complied with the district policy by signing RK out and back in as required. RK's condition caused her to be agitated, aggressive and self-injurious; however, when using CBD, RK was regularly calm and happy and did not injure herself or others. In Mid-October, the parents advised that due to a change in schedules, they would not be able to administer RK's juice drink (with the CBD oil) or a CBD oil infused snack regularly, and requested that Boudreaux administer the juice and pretend to not know it contained the CBD oil. Boudreaux agreed to do so.
 - In violation of district policy, Boudreaux and her instructional assistants
 administered the CBD oiled drink or snacks regularly for approximately
 two weeks. Boudreaux was interviewed by district administrators in
 response to a complaint that Boudreaux and her staff were administering
 the CDB oil to RK in the classroom. Boudreaux misinformed

1	administrators about her role and her IAs role in serving RK her
2	medication Boudreaux informed the parents of RK that they would
3	need to resume the original process of administering the CBD oil to RK as
4	required by the policy.
5	 Boudreaux explained that she believed her actions were in the best
6	interest of the student. Boudreaux was not honest with district
7	administrators when questioned about her conduct. Boudreaux informed
8	investigators that she realizes it is not acceptable to bypass rules and
9	policy despite best intentions. Boudreaux later entered into a separation
0	agreement with the district effective April 1, 2018.
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3	IT IS SO STIPULATED:
4	Joseph 3/25/19 Lory A. Boudreaux Date 3/26/2019
5	Lory A. Boudreaux Date
6	2/26/2019
8	Trent Danowski, Deputy Director Date
9	Teacher Standards and Practices Commission
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21	CONCLUSION OF LAW
22	The conduct described above constitutes gross neglect of duty in violation of ORS
23	342-175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (Use
24	professional judgment), OAR 584-020-0025(2)(e) (Using district lawful and reasonable
25	rules and regulations); OAR 584-020-0040(4)(c) (Falsification of any document of
26	knowing misrepresentation directly related to licensure, employment, or professiona
27	duties).
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29	The Commission's authority to impose discipline in this matter is based upon
30	ORS 342-175-
31	<i>111</i>
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33	111
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1	ORDER
2	The Commission adopts and incorporates herein the above findings of fact and
3	conclusions of law, and based thereon, imposes a Public Reprimand on Lory A.
4	Boudreaux's Oregon educator license.
5	Furthermore, the Commission imposes a period of two (2) years of probation
6	upon Boudreaux's licensure to commence from the date this order is signed by the
7	Commission and subject to the following conditions:
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9	1. Boudreaux shall comply with the Standards for Competent and Ethical
10	Performance of Oregon Educators under Oregon Administrative Rules Chapter
11	584, Division 020.
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13	Issued and dated this day of April, 2019.
14	TEACHER STANDARDS AND PRACTICES COMMISSION
15	STATE OF OREGON
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17	By A The Company of t
18	Dr. Anthony Rosilez, Executive Director
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