BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION

OF THE STATE OF OREGON

3 4 5	In the Matter of the) STIPULATION OF FACTS Teaching License of) AND DANIEL COLIN WILLEY) ORDER OF PROBATION
6	On January 8, 2004, Daniel Colin Willey (Willey) submitted an application for an
7	Initial Teaching License to the Teacher Standards and Practices Commission
8	(Commission). Mr. Willey responded affirmatively to character questions 4, 8 and 10.
9	Mr. Willey provided a written explanation and documentation.
10	After review of the matters alleged, Mr. Willey and the Commission agree that
11	their respective interests, together with the public interest, are best served by a
12	stipulation to certain facts and a three (3) year probation. This Order sets forth the facts
13	upon which the parties have agreed and the sanction to be imposed. Mr. Willey
14	stipulates that there are sufficient facts contained in the Commission's files and records
15	to support the findings of fact and conclusions of law set forth below. In entering into
16	this stipulation, Mr. Willey waives the right to a hearing to contest the findings of fact,
17	conclusion of law and order set forth below. Mr. Willey understands that the probation
18	will be subject to specific terms and conditions.
19	Mr. Willey enters into this Stipulation of Facts with the knowledge that the
20	Commission shall place him on probation for a period of three (3) years. This
21	Stipulation is contingent upon approval and adoption of the Order by the full
22	Commission. If the Commission does not adopt this Order, neither Mr. Willey nor the
23	Commission are bound by these stipulations and Mr. Willey retains the right to a hearing
24	on the allegations.

	STIPULATION OF FACTS
2	1. On January 8, 2004, Mr. Willey submitted an Application For Educator
3	License Form C-1 to the Commission requesting an Initial Teaching License.
4	2. On December 5, 1998, Mr. Willey was arrested for Driving Under the
5	Influence of Intoxicants (DUII), Minor in Possession of Liquor (MIP), and Use Invalid
6	Operators License. Mr. Willey was convicted of Use Invalid Operators License. The
7	Court granted Mr. Willey a Diversion for MIP and DUII. On March 29, 2000, Mr. Willey
8	completed Diversion and the Circuit Court of the State of Oregon for the County of
9	Benton dismissed the MIP and DUII charges.
0	3. On February 26, 2001, Mr. Willey was convicted of Driving While Suspended
1	and Possession of Less than One Ounce of Marijuana in the Circuit Court of the State
2	of Oregon for the County of Benton.
3	4. On December 6, 2000, Mr. Willey completed the ACES alcohol treatment
4	program.
5	5. Mr. Willey recognizes that he has a problem with alcohol.
6	IT IS SO STIPULATED:
17 18	Daniel Colin Willey 3-16-64 Date
19 20 21 22	Victoria Chamberlain, Executive Director Teacher Standards and Practices Commission 3-16-04 Date
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CONCLUSIONS OF LAW

2	Daniel Colin Willey's alcohol related criminal conviction and criminal conduct
3	constitute Gross Unfitness as defined in OAR 584-020-0040(5)(c) and OAR 584-020-
4	0040(5)(e). Criminal convictions and criminal conduct, even in the absence of
5	conviction, may be used as evidence to establish an applicant's lack of fitness to serve
6	as an educator pursuant to OAR 584-050-0006. The Commission's authority to impose
7	discipline in this matter is based upon ORS 342.143 and ORS 342.175.
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ORDER The Commission adopts the above stipulation of facts and authorizes the issuance of an Initial Teaching License to Mr. Willey subject to all standard terms and 3 4 conditions. Furthermore, the Commission imposes a three (3) year probation upon 5 Mr. Willey to commence the date of issuance of said license and subject to the following 6 7 special terms and conditions of probation: 1. Mr. Willey shall, at his own initiative and expense, continue to obtain 8 treatment for his alcohol dependency as recommended by his alcohol treatment 9 10 provider and abstain from the consumption of alcohol; 2. During the period of his probation, Mr. Willey shall submit to the Executive 11 Director of the Commission reports of his compliance with the aftercare treatment plan. 12 13 Mr. Willey shall provide these reports every six (6) months during his probation, on or before: September 1, 2004; March 1, 2005; September 1, 2005; March 1, 2006; 14 September 1, 2006; March 1, 2007; September 1, 2007; and March 1, 2008. 15 16 3. Mr. Willey shall conduct himself as a law-abiding citizen; 4. Mr. Willey shall report in writing within ten days to the Executive Director of 17 the Commission any arrest or citation for any felony, misdemeanor, major traffic 18 19 violation or violation of criminal probation; and 5. Mr. Willey shall comply with the Standards for Competent and Ethical 20 Performance of Oregon Educators under Oregon Administrative Rules Chapter 584, 21

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Division 020.

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	violation of any term or condition of probation shall constitute an independent
2	basis for the Commission to revoke Mr. Willey's teaching license or otherwise impose
3	discipline, after first providing Mr. Willey with notice and opportunity for hearing.
4	IT IS SO ORDERED this day of May, 2004.
5	TEACHER STANDARDS AND PRACTICES COMMISSION
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7	By Manhertain Executive Director 10315041