1 BEFORE THE TEACHIS STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON 3 In the Matter of the STIPULATION OF FACTS 4 Teaching License of AND FINAL ORDER CATHERINE L. GILBERTSON OF SUSPENSION 6 On November 1, 2006, the Teacher Standards and Practices Commission (Commission) 7 received a report from Michael Remick, Human resources Director for the Jackson County School 8 District, indicating that Catherine Gilbertson (Gilbertson) was cited for possession of marijuana. 9 Ms. Gilbertson fully cooperated with the Commission's investigation. After review of the 10 matters alleged, Ms. Gilbertson and the Commission agree that their respective interests, together 11 with the public interest, are best served by a stipulation to certain facts and a six (6) month 12 suspension, to go into effect upon the reinstatement of Gilbertson's expired license. This stipulation is 13 not an agreement to reinstate Gilbertson's license. Reinstatement of Gilbertson's license will be 14 subject to any applicable requirements, including the payment of any late fees, if any. 15 This document sets forth the facts upon which the parties have agreed and the stipulated 16 sanction to be imposed. Ms. Gilbertson stipulates that there is sufficient evidence in the 17 Commission's files and records to support the findings of fact, conclusions of law, and order set forth 18 below. 19 By signing below, Ms. Gilbertson acknowledges, understands, stipulates, and agrees to the 20 following: (i) she has been fully advised of her rights to notice and a hearing to contest the findings of 21 fact, conclusions of law, and order set forth below, and fully and finally waives all such rights and any 22 rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Suspension 23 (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to 24 the public upon request by the Commission; (iii) this Stipulation and Final Order is contingent upon 25 and subject to approval and adoption by the Commission. If the Commission does not approve and 26 adopt this Stipulation and Final Order, then neither Ms. Gilbertson nor the Commission are bound by 27 the terms herein; (iv) she has fully read this Stipulation and Final Order, and understands it 28 completely; (v) she voluntarily, without any force or duress, enters into this Stipulation and Final Order

Page 1 - STIPULATION OF FACTS AND FINAL ORDER OF SUSPENSION - GILBERTSON

| imposed. Ms. Gilbertson stipulates that there are sufficient facts contained in the Commission's files and records to support the findings of fact and conclusions of law set forth below. In entering into this stipulation, Ms. Gilbertson waives the right to a hearing to contest the findings of fact, conclusion of law and order set forth below. |
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| and records to support the findings of fact and conclusions of law set forth below. In entering into this |
| |
| imposed. Ms. Glibertson stipulates that there are sufficient facts contained in the Commission's files |
| improved Ma Other Land Land Land Land Land Land Land Land |
| below. This Order sets forth the facts upon which the parties have agreed and the sanction to be |
| to entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order |
| advised with regard to her rights thereto, or waives any and all rights to consult with an attorney prior |
| (vii) she has consulted with an attorney regarding this Stipulation and Final Order and has been fully |
| promises or representation has been made to induce her to sign this Stipulation and Final Order; and |
| and consents to issuance and entry of the Stipulated Final Order below; (vi) she states that no |
| |

- The Commission has licensed Ms. Gilbertson since August 6, 2006.
 Ms. Gilbertson's Initial I Teaching License, with an endorsement in multiple subjects self contained,
 expired October 14, 2007.
 - 2. On or about October 4, 2006 Gilbertson had several minors present in her home while she used marijuana. When police arrived, Gilbertson initially denied using marijuana, but following a search of her home, she admitted to smoking it while minors were present.
 - 4. On January 3, 2007 Gilbertson was convicted of Possession of Marijuana in the Josephine County Circuit Court.
- 5. Gilbertson was untruthful or misrepresented her involvement in these incidents during the Commission's investigation.

| 22 | IT IS SO STIPULATED AND AGREED TO: | , |
|----|--|-----------|
| 23 | Catherine Gilberton | 5/19/08 |
| 24 | Catherine Gilbertson | Date |
| 25 | The Handell | F > 2 40/ |
| 26 | MANUEL XUANULUAU | 52701 |
| 27 | Victoria Chamberlain, Executive Director | Date |
| 28 | Teacher Standards and Practices Commission | |

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Page 2 - STIPULATION OF FACTS AND FINAL ORDER OF SUSPENSION - GILBERTSON

2 Catherine Gilbertson's conviction for possession of marijuana constitutes Gross Neglect of 3 Duty in violation of OAR 584-020-0040(5)(c). Gilbertson's use of marijuana in the presence of minors 4 constitutes Gross Neglect of Duty of in violation of OAR 584-020-0040(4)(o) as it incorporates OAR 5 584-020-0035(3)(a). Gilbertson's untruthful statements to the Commission during its investigation 6 constitute Gross Neglect of Duty in violation of OAR 584-020-0040(4)(c). The Commission has the 7 authority to impose discipline in this matter under ORS 342.120 through 342.430 and OAR Chapter 8 584. 9 **FINAL ORDER** 10 The Commission adopts and incorporates herein the above finding of facts, conclusions of 11 law, and based thereon, suspends the license of Catherine Gilbertson for a period of six (6) months. 12 This suspension will go into effect upon the reinstatement of Gilbertson's license. Issued and dated this day of July, 2008. 13 14 TEACHER STANDARDS AND PRACTICES COMMISSION 15 **STATE OF OREGON** 16 17 18 19

CONCLUSIONS OF LAW

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