

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

In the Matter of the)
Teaching License of)
KRISTLE STARR VANDEVER)

On February 1, 2012, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Kristle Starr Vandever (Vandever) in which the Commission charged her with Gross Neglect of Duty pursuant to ORS 342.175(1)(b); OAR 584-020-0040(4)(n), as it incorporates OAR 584-020-0010(1), and OAR 584-020-0010(5); OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(1)(b), OAR 584-020-0035(1)(c)(A), OAR 584-020-0035(1)(c)(C), OAR 584-020-0035(1)(c)(D); OAR 584-020-0040(4)(f); and gross unfitness in violation ORS 342.175(1)(c); OAR 584-020-0040(5)(e). The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7010 2780 0000 2187 4771 to the address on file with the Commission. The Certified Mail was signed for on February 8, 2012, by Kristle Vandever. The regular mail was not returned to the Commission. The Notice of Opportunity of Hearing, dated February 1, 2012, and signed by Victoria Chamberlain, Executive Director, stated:

"IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF YOU FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."

Vandever did not request a hearing. The Commission, therefore, finds Vandever to be in default and enters the following findings of fact, conclusions of law and order, based on the files and records of the Commission concerning this matter.

FINDINGS OF FACT

1. Kristle Starr Vandever has been licensed as a teacher in Oregon since December 29, 1989. Her current Basic Teaching License, issued on November 14, 2009, is valid until November 13, 2012. During all relevant times, Vandever was employed by the Umatilla School District.
2. On March 19, 2010, the Commission received information indicating possible sexual activity between Vandever and several male students in the Umatilla School District. Specifically:
 - a. That Vandever engaged in a sexual relationship with a male student.
 - b. That Vandever provided alcohol to students.
 - c. That Vandever performed oral sex on one or more male students, in her vehicle.

- 1 d. Some of Vandever's sexual activity with a student was video recorded with a cell phone and
2 shown to other students.
- 3 3. On June 7, 2010, in response to an email Vandever's cousin sent to Vandever's email
4 account, Vandever wrote: *"No jail for me and that is only because of luck...no witnesses
5 coming forward. He said he was of legal age, but he lied. I just can't help wanting those hot
6 young boys...and they want me. Who am I to spoil a young man's fantasy. Damn."*

7 CONCLUSIONS OF LAW

8 As described in paragraphs two and three above, Kristle Starr Vandever engaged in
9 sexual conduct with one or more students, and provided alcohol to underage students. This
10 conduct constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-
11 0040(4)(n) as it incorporates OAR 584-020-0010(1) (*Recognize the worth and dignity of all
12 persons and respect for each individual*), OAR 584-020-0010(5) (*Use professional judgment*);
13 OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(1)(b) (*Refrain from exploiting
14 professional relationships with any student for personal gain, or in support of persons or issues*),
15 OAR 584-020-0035(1)(c)(A) (*Maintain an appropriate professional student-teacher relationship
16 by: Not demonstrating or expressing professionally inappropriate interest in a student's personal
17 life*), OAR 584-020-0035(1)(c)(C) (*Reporting to the educator's supervisor if the educator has
18 reason to believe a student is or may be becoming romantically attached to the educator*), OAR
19 584-020-0035(1)(c)(D) (*Honoring appropriate adult boundaries with students in conduct and
20 conversations at all times*); OAR 584-020-0040(4)(f) (*Any sexual conduct with a student*), This
21 conduct also constitutes gross unfitness in violation of ORS 347.175(1)(c); OAR 584-020-
22 0040(5)(e) (*Admission of or engaging in acts constituting criminal conduct, even in the absence
23 of a conviction*).

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33 The Commission's authority to impose discipline in this matter is based upon ORS

1 342.175.

2 **FINAL ORDER**

3 The Commission hereby revokes the licensure of Kristle Starr Vandever.

4 IT IS SO ORDERED THIS 26th day of July, 2012.

5 TEACHER STANDARDS AND PRACTICES COMMISSION

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8 By: _____
9 Victoria Chamberlain, Executive Director

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14 **NOTICE OF APPEAL OR RIGHTS**

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16 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE
17 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF
18 THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO
19 THE OREGON COURT OF APPEALS.
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