

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

In the Matter of the) STIPULATION OF FACTS AND
Educator License of) FINAL ORDER OF SUSPENSION
KRISTIN MAUREEN BROTEN) AND PROBATION

On or about October 19, 2009, the Teacher Standards and Practices Commission (Commission) learned that Kristin Broten (Brotten) allegedly violated Professional Standards and Practices.

After review of the matters alleged, Broten and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts, the imposition of a thirty (30) day suspension of her right to apply for an educator license, and a four (4) year period of probation.

This document sets forth the facts upon which the parties have agreed and the stipulated sanction to be imposed. Broten stipulates that there is sufficient evidence in the Commission's files and records to support the findings of fact, conclusions of law, and order set forth below.

By signing below, Broten acknowledges, understands, stipulates, and agrees to the following:

(i) she has been fully advised of her rights to notice and a hearing to contest the findings of fact, conclusions of law, and order set forth below, and fully and finally waives all such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Suspension and Probation (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to the public upon request by the Commission; (iii) this Stipulation and Final Order is contingent upon and subject to approval and adoption by the Commission. If the Commission does not approve and adopt this Stipulation and Final Order, then neither Broten nor the Commission are bound by the terms herein; (iv) she has fully read this Stipulation and Final Order, and understands it completely; (v) she voluntarily, without any force or duress, enters into this Stipulation and Final Order and consents to issuance and entry of the Stipulated Final Order below; (vi) she states that no promises or representation has been made to induce her to sign this Stipulation and Final Order; and (vii) she has consulted with an attorney regarding this Stipulation and Final Order and has been fully

1 advised with regard to her rights thereto, or waives any and all rights to consult with an attorney prior
2 to entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order
3 below.

4 **STIPULATION OF FACTS**

5 1) Broten has been licensed as an Educator in Oregon since February 7, 2006. Broten held an Initial I
6 Teaching License, with an endorsement in Visually Impaired (PP-12), issued on October 27, 2006,
7 which expired on July 8, 2010. During all relevant times, Broten was employed by the Portland
8 Public School District.

9 2) During the 2008/2009 school year, Broten was employed to provide teaching services in the area
10 of Blind/Visually Impaired Services as part of the Columbia Regional Services (in collaboration
11 with Portland Public Schools). During the 2008-2009 school year, Broten neglected to serve
12 students in accordance with established IEP plans. Specifically, Broten failed to meet individual
13 student's IEP service requirements by under serving some students, over serving others, and some
14 students experienced extended periods with no service..

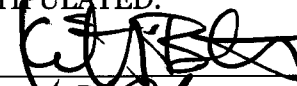
15 3) On one occasion, when the school office was changing locations, Broten left confidential student
16 health records in a school office that was inadequately secured.

17 4) During the 2008-2009 school year, Broten failed to document her absences, both timely and
18 properly, resulting in Broten being paid for time not worked. Broten's travel documentation
19 submitted was often contradictory, incomplete and inaccurate. Broten asserts she never
20 intentionally submitted incorrect documentation and never intentionally sought reimbursement
21 for expenses she did not actually incur.

22 5) During Broten's August 25, 2011, interview with a TSPC investigator, Broten admitted to having
23 dependency problems with alcohol and prescription drugs during the 2008-2009 school year that
24 were not disclosed to school district administration at any time. Broten advised that she had
25 voluntarily participated and successfully completed an inpatient dependency treatment program
26 ending February 17, 2011. Broten told the investigator that her drug/alcohol problems contributed
27 to her poor performance and behavior, which ultimately led to Broten's resignation in lieu of


1 termination on November 9, 2009. Broten also disclosed being charged with a DUII on October
2 15, 2010, and that she was participating in a court ordered diversion program. In or about January
3 2012, Broten successfully completed the court ordered diversion program, which included six
4 months of outpatient treatment, and the DUII charge was dismissed as a result. Broten reports
5 continued participation in a 12-step recovery program and ongoing sobriety.

6
7 IT IS SO STIPULATED:

8
9 
Kristin Maureen Broten

Date

3/20/14

10 
11 Victoria Chamberlain, Executive Director
12 Teacher Standards and Practices Commission

Date

3-27-14

13 **CONCLUSIONS OF LAW**

14 Kristin Broten's conduct described in sections one through four above constitutes gross neglect
15 of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-
16 0010(5) (*Use professional judgment*), OAR 584-020-0010(1) (*Recognize the worth and dignity of all*
17 *persons and respect for each individual*), OAR 584-020-0025(2)(e) (*Using district lawful and*
18 *reasonable rules and regulations*), and OAR 584-020-0025(2)(c) (*Using and maintaining student*
19 *records as required by federal and state law and district policies and procedures*).

20 Kristin Broten's conduct described in section five above constitutes gross neglect of duty in
21 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5)
22 (*Use professional judgment*). This conduct also constitutes gross unfitness in violation of ORS
23 342.175(1)(c); OAR 584-020-0040(5)(e) (*Admission of or engaging in acts constituting criminal*
24 *conduct, even in the absence of a conviction*).

25 The Commission's authority to impose discipline in this matter is based upon ORS 342.175.

26 **ORDER**

27 The Commission hereby adopts and incorporates herein the above stipulation of facts,
28 conclusions of law, and based thereon hereby imposes a thirty (30) day suspension upon Broten's
29 right to apply for an Educator License as follows:

1 Kristin Maureen Broten's right to apply for an Educator License is hereby suspended for thirty
2 (30) days following the adoption of this order.

3 Furthermore, the Commission imposes four (4) years of probation upon Broten to commence
4 upon reinstatement of her license and subject to the following terms and conditions of probation:

- 5 1. Broten shall comply with the Standards for Competent and Ethical Performance of Oregon
6 Educators under Oregon Administrative Rules Chapter 584, Division 020.
- 7 2. Broten shall, at her own initiative and expense, continue to participate in a recovery
8 program for her alcohol dependency as recommended by her alcohol treatment provider
9 and abstain from the consumption of alcohol.
- 10 3. Broten shall report in writing within ten days to the Executive Director of the Commission
11 any arrest or citation for any felony, misdemeanor, major traffic violation or violation of
12 criminal probation.

13
14 Violation of any term or condition of probation shall constitute an independent basis for the
15 Commission to revoke Broten's educator license or otherwise impose discipline, after first providing
16 Broten with notice and opportunity for hearing.

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19 IT IS SO ORDERED this 6th day of August, 2014.

20 TEACHER STANDARDS AND PRACTICES COMMISSION

21
22 By: Victoria Chamberlain
23 Victoria Chamberlain, Executive Director