

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

In the Matter of the)
Educator License of)
SHELLI WAYDEAN JAMES)

STIPULATION OF FACTS AND
FINAL ORDER OF REPRIMAND
AND PROBATION

On or about May 21, 2012, the Teacher Standards and Practices Commission (Commission) received information from the Grants Pass School District, indicating that Shelli Waydean James (James) had been arrested for a DUII and may have violated professional standards.

After review of the matters alleged, James and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts and the imposition of a public reprimand with a four year probation period.

By signing below, James 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 Reprimand and Probation (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to the public upon request to 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 James 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 promise 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 advised with regard to her rights thereto, or waives any and all rights to consult with an

1 attorney prior to entering into this Stipulation and Final Order and issuance and entry of
2 the Stipulated Final Order below.

3 **STIPULATION OF FACTS**

4 1. Shelli Waydean James has been licensed as a teacher in Oregon since September 11,
5 2006. James holds a Five-Year Career and Technical Teaching License, with an
6 endorsement in Hospitality and Tourism (024), which is valid September 12, 2009,
7 through September 11, 2014. James made timely application for renewal and James'
8 license status was changed to "expiration pending" awaiting the final outcome of this
9 investigation. During all relevant times, James was employed by the Grants Pass
10 School District.

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12 2. On May 21, 2012, the Commission received a report from the Grants Pass School
13 District indicating that James may have violated professional standards.
14 Investigation determined the following:

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16 a. On April 26, 2012, James was arrested by the Oregon State Police out of
17 Medford, Oregon for the following charges resulting from a motor vehicle injury
18 accident: i.e.: Assault 3 (Class C Felony), Driving under the Influence of
19 Intoxicants (DUII (Class A Misdemeanor)), Reckless Driving (Class A
20 Misdemeanor), Reckless Endangering Another Person (2-counts, Class A
21 Misdemeanor), Assault 4 (Class A Misdemeanor), Aggravated Harassment (Class
22 C. Felony), Harassment (Class B Misdemeanor), Resisting Arrest (Class A
23 Misdemeanor), and Disorderly Conduct (Class B Misdemeanor).

24 b. On February 19, 2014, James plead guilty to: DUII (Class A Misdemeanor),
25 Recklessly Endangering Another Person (1 count, Class A Misdemeanor), Assault
26 in the Fourth Degree (Class A Misdemeanor), and Resisting Arrest (Class A
27 Misdemeanor). The remaining charges were dismissed. James was sentenced to
28 30-days in jail with credit for time served, fined \$2,000 dollars and placed on 2-
29 years Bench probation.

30 c. James' conduct that lead to her arrest and subsequent convictions included
31 James operating a motor vehicle under the influence of intoxicants while driving
32 to pick up her daughter. It was reported that James traveled at nearly 100 MPH
33 and drove recklessly before she struck another vehicle, which caused injury to its
34 operator. Sometime after she was taken into custody, James became
35 uncooperative, verbally hostile, and fought with an officer. James' blood alcohol

level was determined to be .154 % by volume BAC, approximately twice the presumptive limit for DUII.

IT IS SO STIPULATED:

Shelli Waydean James
Shelli Waydean James

7-20-15
Date

Victoria Chamberlain
Victoria Chamberlain, Executive Director
Teacher Standards and Practices Commission

7-27-15
Date

CONCLUSION OF LAW

Shelli Waydean James' conduct described in sections two above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*), and OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(3)(a) (*Maintain the dignity of the profession by respecting and obeying the law, exemplifying personal integrity and honesty*). This conduct also constitutes gross unfitness in violation of ORS 342.175(1)(c); OAR 584-020-0040(5)(c) (*Conviction of violating any federal, state, or local law. A conviction includes any final judgment of conviction by a court whether as the result of guilty plea, no contest plea or any other means*), and OAR 584-020-0040(5)(e) (*Admission of or engaging in acts constituting criminal conduct, even in the absence of a conviction*).

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

ORDER

Based on the foregoing, the Commission hereby orders as follows:

1. The Commission adopts and incorporates herein the above findings of fact and conclusions of law, and based thereon, imposes a Public Reprimand on Shelli James' Educators License;
2. James is hereby placed on probation for a period of four (4) years from the date

1 this order is signed by the Commission subject to the following conditions:

2 a. James shall comply with the Standards for Competent and Ethical
3 Performance of Oregon Educators under Oregon Administrative Rules
4 Chapter 584, Division 020.

5 b. James will obey all laws and ordinances.

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7 Violation of any term or condition of probation shall constitute an independent basis for
8 the Commission to revoke James' educator license, revoke her right to apply for a
9 license, or otherwise impose discipline, after first providing James with notice and
10 opportunity for hearing.

11 Issued and dated this 17th day of August, 2015.

12 **TEACHER STANDARDS AND PRACTICES COMMISSION**
13 **STATE OF OREGON**

14 By Victoria Chamberlain
15 Victoria Chamberlain, Executive Director
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