1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON 3 4 In the Matter of the STIPULATION OF FACTS AND 5 Educator License of ) FINAL ORDER OF SUSPENSION 6 JODI L. BAXTER ) AND PROBATION 7 8 On January 19, 2023, the Teacher Standards and Practices Commission 9 (Commission) received a report from the High Desert Education Service District 10 (District) indicating Jodi L. Baxter (Baxter) may have committed acts of gross neglect of 11 duty and/or gross unfitness, specifically, that Baxter was under the influence of 12 intoxicants on school property during school hours. 13 After review of the matters alleged, Baxter and the Commission agree that their 14 respective interests, together with the public interest, are best served by a stipulation to 15 certain facts, the imposition of a Suspension of thirty (30) days, and a three (3) year 16 period of Probation. 17 This Order sets forth the facts upon which the parties have agreed and the 18 sanction to be imposed. Baxter stipulates that there are sufficient facts contained in the 19 Commission's files and records to support the findings of fact and conclusions of law set 20 forth below. In entering into this stipulation, Baxter waives the right to a hearing to 21 contest the findings of fact, conclusions of law and order set forth below. 22 By signing below, Baxter acknowledges, understands, stipulates, and agrees to 23 the following: (i) she has been fully advised of her rights to a hearing to contest the 24 findings of fact, conclusions of law, and order set forth below, and fully and finally 25 waives all such rights and any rights to appeal or otherwise challenge this Stipulation of 26 Facts and Final Order of Suspension and Probation (Stipulation and Final Order); (ii) 27 this Stipulation and Final Order is a public document and disclosed to the public upon 28 request by the Commission; (iii) this Stipulation and Final Order is contingent upon and 29 subject to approval and adoption by the Commission. If the Commission does not 30 approve and adopt this Stipulation and Final Order, then neither Baxter nor the 31 Commission are bound by the terms herein; (iv) she has fully read this Stipulation and 32 Final Order, and understands it completely; (v) she voluntarily, without any force or 33 duress, enters into this Stipulation and Final Order and consents to issuance and entry of 34 the Stipulated Final Order below; (vi) she states that no promise or representation has 35 been made to induce her to sign this Stipulation and Final Order; and (vii) she has 36 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 2 attorney prior to entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order below. 3 4 STIPULATION OF FACTS 5 1. The Commission has licensed Baxter since July 28, 2009. Baxter holds a 6 7 Professional Teaching License, with an endorsement Elementary - Multiple 8 Subjects (PK-12), valid from August 8, 2020, through August 7, 2025. During all 9 relevant times, Baxter was employed by the High Desert Education Service 10 District (ESD). 11 12 On January 19, 2023, the Commission received a letter from the High Desert ESD indicating Baxter may have committed acts which constitute gross neglect of duty 13 and/or gross unfitness. The High Desert ESD reported that during work hours on 14 January 5, 2023, Baxter possessed, consumed and was under the influence of 15 alcohol at Buckingham Elementary School, in the Bend-La Pine School District. 16 17 3. During the 2022-23 school year, Baxter worked for the High Desert ESD as a 18 19 long-term substitute teacher in a fifth-grade classroom at Buckingham Elementary School. On Wednesday, January 4, 2023, Baxter spoke with the 20 school Principal about her needing to step away from the teaching assignment to 21 22 address recent personal issues, including death in the family, which resulted in her overconsumption of alcohol. Baxter indicated she would be seeking inpatient 23 treatment for this. The principal asked Baxter to finish the week, and Baxter 24 reluctantly agreed to help the school and complete the week. 25 26 4. On January 5, 2023, Baxter received an upsetting phone call from a family 27 member. After students had left the school for the day and Baxter still working, 28 several school employees observed Baxter slurring words, stumbling, with 29 bloodshot eyes, and that Baxter smelled of alcohol. As Baxter was preparing to 30 31 leave the campus, a concerned staff member offered to take her home, which Baxter declined and indicated a family member would be picking her up. Staff 32

contacted the administration and law enforcement. Law enforcement and the

school principal located Baxter in her personal vehicle in the school parking lot.

33 34

Baxter admitted to law enforcement she had been drinking alcoholic beverages. 1 2 In a search of bag that Baxter previously had in the classroom and then her vehicle, several empty cans of an alcoholic beverage were found. Additionally, an 3 empty can of this same alcoholic beverage was found on the floor of Baxter's classroom. Approximately thirty (30) minutes after Baxter spoke with law 5 enforcement, her husband arrived at school to take her home. 6 7 Several days after this incident, Baxter admitted herself into a pre-scheduled 8 thirty (30) day, inpatient treatment program. Baxter is currently participating in 9 a recovery program. 10 11 6. On January 11, 2023, Baxter resigned as a substitute teacher from the ESD. The 12 High Desert ESD removed Baxter from their list of approved substitute teachers. 13 14 15 IT IS SO STIPULATED 16 9/20/23 17 Jodi L. Baxter 18 19 20 21 Cristina Edgar, Director of Professional Practices 22 **Teacher Standards and Practices Commission** 23 24 CONCLUSION OF LAW 25 The conduct described in section four (4) above constitutes gross neglect of duty 26 in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-27 020-0010(5) (Use professional judgment), OAR 584-020-0025(2)(e) (Using district 28 lawful and reasonable rules and regulations), and OAR 584-020-0040(4)(g) 29 (Appearing on duty or at any district-sponsored activity while under the influence of 30 alcohol or any controlled substance. 31 The Commission's authority to impose discipline in this matter is based upon 32 ORS 342.175. 33 ORDER 34 The Commission adopts and incorporates herein the above findings of fact and 35 conclusions of law, and based thereon, imposes a suspension of thirty (30) days upon 36 Jodi L. Baxter's Oregon educator license.

37

1	Furthermore, the Commission imposes a period of three (3) years of probation
2	upon Baxter's licensure to commence from the date this order is signed by the
3	Commission and subject to the following conditions:
4	
5	1. Baxter shall comply with the Standards for Competent and Ethical Performance
6	of Oregon Educators under Oregon Administrative Rules Chapter 584, Division
7	020.
8	2. Baxter will complete a drug and alcohol dependency evaluation prior to six (6)
9	months from the execution of this order, and provide evidence of successful
10	completion of any recommended treatment.
11	3. Baxter will provide evidence on a quarterly basis of successful participation in a
12	post treatment recovery and sobriety program. Upon completion, Baxter will
13	provide the Commission evidence of successful completion pf the treatment or
14	program with the understanding Baxter's further participation is not required or
15	is voluntary.
16	
17	Violation of any term or condition of probation shall constitute an independent basis for
18	the Commission to revoke Baxter's Oregon educator license or otherwise impose
19	discipline, after providing Baxter with notice of opportunity for hearing.
20	20
21	Issued and dated this 20 day of October, 2023.
22	
23	TEACHER STANDARDS AND PRACTICES COMMISSION
24	STATE OF OREGON
25	1
26	
27	Ву
28	Dr. Anthony Rosilez, Executive Director