

**BEFORE THE
COMMISSION ON TEACHER CREDENTIALING
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

DAWN HELEN PELLERIN, Respondent.

Agency Case No. 2-314009352

OAH No. 2023040946

PROPOSED DECISION

Harden Sooper, Administrative Law Judge (ALJ), Office of Administrative Hearings (OAH), State of California, heard this matter by videoconference on October 10, 2023.

Cristina Felix, Deputy Attorney General, represented complainant Mary Vixie Sandy, Ed.D., Executive Director, California Commission on Teacher Credentialing (Commission).

Respondent Dawn Helen Pellerin represented herself.

The ALJ received oral and documentary evidence. The record was held open until October 11, 2023, for respondent to submit court documents, and until October 13, 2023, for complainant to file written objections.

On October 11, 2023, respondent submitted a one-page letter from Twin Palms Recovery Center, Inc., marked for identification as Exhibit M. Complainant did not file

written objections and Exhibit M was admitted. The record closed and the matter was submitted for decision on October 13, 2023.

During the hearing, complainant moved to strike paragraph 26 from the Accusation, which alleged as a disciplinary consideration a 2005 criminal conviction suffered by respondent in case number 5MT10502. Respondent did not object to the motion. The ALJ granted the motion and did not consider the 2005 criminal conviction for any purpose in this Proposed Decision.

During the hearing, complainant moved to seal Exhibits G and I because they contained photographs of minor students. Respondent did not object to the motion. On October 10, 2023, the ALJ issued a protective order sealing Exhibits G and I.

During a review of the evidence, the ALJ redacted dates of birth from Exhibits 11, 12, 13, and 14 for confidentiality purposes.

SUMMARY

Complainant seeks to discipline respondent's teaching credential based on her 2020 driving under the influence (DUI) offense and subsequent criminal conviction. Complainant established by clear and convincing evidence respondent's misconduct was unprofessional, immoral, and involved acts of moral turpitude. Complainant further established a direct nexus between respondent's misconduct and her fitness to teach. Disciplinary considerations included respondent's 2015 DUI conviction and the Commission's 2019 disciplinary action resulting in a 60-day suspension of respondent's credential. Respondent submitted evidence of significant rehabilitation. Placing her credential on probation for three years and serving a 120-day suspension

will adequately protect the public while allowing the Commission to monitor her conduct.

FACTUAL FINDINGS

Jurisdictional Matters

1. On July 20, 2010, the Commission issued respondent a Level II Education Specialist Instruction Credential. The credential was in full force and effect at all times relevant to the charges alleged in the Accusation. The credential will expire on August 1, 2025, unless renewed.

2. On August 1, 2007, the Commission issued respondent a Clear Crosscultural, Language, and Academic Development Certificate. The certificate was in full force and effect at all times relevant to the charges alleged in the Accusation. The certificate will remain in force as long as respondent's credential remains valid and in effect.

3. Respondent previously held the following credentials: Preliminary Administrative Services Credential, issued on August 24, 2011, and expired on August 1, 2015; Level II Education Specialist Instruction Credential, issued on May 16, 2014, and expired on August 1, 2015; Level I Education Specialist Instruction Credential issued on July 15, 2005, and expired on August 1, 2010; Intern Education Specialist Instruction Credential, issued on January 1, 2004, and expired on February 1, 2006; Waiver Education Specialist Instruction Credential, issued on October 1, 2003, and expired on October 1, 2004; Pre-Intern Certificate issued on September 10, 2002, and expired on October 1, 2003; and 30-Day Substitute Teaching Permit, issued on October 29, 2001, and expired on November 1, 2002.

4. On January 26, 2023, complainant filed an Accusation against respondent.

5. Respondent timely filed a Notice of Defense, dated February 13, 2023, requesting a hearing.

Respondent's 2021 Criminal Conviction

6. On October 21, 2021, in the Superior Court of California, County of Los Angeles, case number 0WC05669, respondent was convicted upon her plea of no contest of violating Vehicle Code section 23152, subdivision (b), driving with a blood-alcohol content of 0.08 percent or more, a misdemeanor. Respondent admitted she suffered a prior DUI conviction on March 25, 2015, in case number 4MP10696.

7. The court suspended imposition of sentence and placed respondent on four years' summary probation under terms and conditions including serving 96 hours in county jail, completing an 18-month second-offender alcohol education and counseling program, and paying fines and fees totaling \$2,488.

8. The facts and circumstances underlying the criminal conviction occurred on July 4, 2020, when respondent drove a vehicle while under the influence of alcohol after attending a pool party. At about 2:22 a.m., California Highway Patrol (CHP) officers observed respondent's vehicle weaving between lanes on Interstate 210. The officers conducted a traffic stop and upon contacting respondent in the driver's seat, they noted she smelled like alcohol and her eyes were red and watery. Respondent denied drinking any alcohol, instead claiming she smoked marijuana before driving. She told the officers she had two prior DUI arrests and no longer drinks alcohol. Respondent failed to properly perform Field Sobriety Tests (FSTs) and the officers placed her under arrest for DUI. Respondent offered to perform a sexual favor for an

officer in exchange for being released from custody. After respondent refused to submit to a breath or blood test, the officers obtained a warrant and thereafter obtained a blood sample from respondent. Her blood-alcohol content was 0.21 percent.

Disciplinary Considerations

2019 DISCIPLINARY ACTION

9. In a First Amended Accusation dated October 25, 2018, filed in Commission case numbers 1-187729741 and 1-151802196, complainant charged respondent with four causes for discipline: immoral conduct, unprofessional conduct, acts of moral turpitude, and material fraud and deception. The allegations related to two DUI convictions suffered by respondent, respondent having sent inappropriate text messages to her colleagues, respondent's termination from employment based on those text messages, and her failure to disclose the termination on her application for an added authorization on her credential.

10. In a First Amended Statement of Issues dated October 25, 2018, filed in Commission case numbers 1-187729741 and 1-151802196, complainant charged respondent with two causes to deny her application for an added authorization on her credential: deception or fraud in application and acts involving moral turpitude. The allegations related to the same facts and circumstances alleged in the First Amended Accusation filed under the same case numbers.

11. In the Commission's Decision and Order, effective June 21, 2019 (2019 Order), the Commission adopted the Consent Determination and Order, dated April 3, 2019 (2019 Consent Determination), in which respondent did not contest good cause existed for the Commission to impose adverse action based on the evidence it

possessed related to the allegations in the First Amended Accusation and First Amended Statement of Issues. Respondent waived any requirement the Commission prove the allegations against her and stipulated the Commission may properly impose discipline as if the allegations were proven. The Commission suspended respondent's credential for 60 days, after which time her application for a Level II Education Specialist Instruction Credential – Added Authorization (Autism Spectrum Disorders) was granted.

2015 DUI CONVICTION

12. On March 25, 2015, in the Superior Court of California, County of Los Angeles, case number 4MP10696, respondent was convicted upon her plea of no contest of violating Vehicle Code section 23152, subdivision (b), driving with a blood-alcohol content of 0.08 percent or more, a misdemeanor.

13. The court suspended imposition of sentence and placed respondent on summary probation for five years under terms and conditions including serving 96 hours in county jail, completing an 18-month alcohol education and counseling program, and paying fines and fees totaling \$2,130.

14. The facts and circumstances underlying respondent's criminal conviction occurred on October 14, 2014, when respondent drove a vehicle while under the influence of alcohol. At about 2:03 a.m., CHP officers observed respondent's vehicle speeding and veering between lanes on Interstate 110. The officers conducted a traffic stop and upon contacting respondent in the driver's seat, they noted she smelled like alcohol, her eyes were red and watery, and her speech was slurred. Respondent admitted drinking five beers before driving. Respondent failed to properly perform

FSTs and the officers placed her under arrest for DUI. Respondent's blood-alcohol content, as measured by two breath samples, was 0.15 percent and 0.14 percent.

2013 TERMINATION AND 2014 FAILURE TO DISCLOSE TERMINATION

15. In the Accusation, complainant alleged respondent was terminated on December 16, 2013, from Environmental Charter School while allegations were pending that she had inappropriate and pornographic pictures on her school computer and offensive jokes and images on her school email. Complainant further alleged respondent sent hostile, profanity-laced, and inappropriate text messages to colleagues and that she failed to disclose her termination from Environmental Charter School on her August 8, 2014, application for an added authorization on her credential.

16. The evidence did not disclose any further details about respondent's misconduct while employed at Environmental Charter School. Complainant offered no evidence apart from the 2019 Consent Determination to support these allegations.

Respondent's Evidence

17. Respondent is 45 years old. She has been a special education teacher at various schools for almost 23 years. Since 2013, she has taught special education at Palisades Charter High School (PCHS) in Los Angeles.

18. Approximately two days after her 2020 DUI arrest, respondent became sober. She attended court-ordered Alcoholics Anonymous (AA) meetings and occasionally continues to attend, but she has found other organizations more useful in maintaining her sobriety. She is heavily involved with Sober Sis, a support group for women living a sober lifestyle. Respondent is also involved with Recovery Elevator, a

sober community focusing on maintaining an active lifestyle through events such as hiking and camping. She is confident in her ability to remain sober with the new support system provided by these organizations. Respondent submitted several letters of support from individuals corroborating her participation in Sober Sis and her sobriety.

19. Respondent has complied with the terms and conditions of her 2021 criminal probation. She completed an 18-month alcohol education and counseling program at Twin Palms Recovery Center and paid all required fines and fees. She will remain on probation until October 21, 2025.

20. Respondent expressed remorse for her misconduct, describing her DUI offenses as humiliating and humbling and stating she must live with the mistakes she made. She comes from a family of heavy drinkers and tends to drink too much in social situations. After maintaining her sobriety for several years after her 2014 DUI arrest, she relapsed during the COVID-19 pandemic. In a written statement submitted as evidence in this matter, respondent explained the circumstances of her relapse, stating, "My gyms closed. The beaches were off limits. Hiking trails were blocked off. My support systems disappeared. . . . Isolation, fear, and anxiety grew in me." (Ex. D, p. B47.) She emphasized her drinking never impacted her performance as a teacher, she was not intoxicated or hungover at work, and her students were unaware of her DUI arrests and convictions.

21. Respondent submitted eight recent letters of support from PCHS colleagues, vouching for her character and teaching skills. The authors unanimously described respondent as a valuable resource to students, colleagues, and the school. However, the evidentiary weight of these letters is diminished because it is unclear whether the authors were aware of respondent's DUI arrests or convictions. In a letter

dated May 8, 2022, PCHS Resource Specialist T. John Tomasi wrote, "I am aware of the issues and problems that [respondent] has experienced." (Ex. C. p. B36.) However, Mr. Tomasi did elaborate on these issues or problems. The other authors made no reference to DUI arrests, criminal convictions, or Commission disciplinary action.

22. Respondent seeks to maintain her credential and to continue teaching special education students. In her written statement, respondent stated, "I am using my mistakes, silently, to guide me in helping others." (Ex. D, p. B48.) She is involved with the Substance Abuse Prevention Program at her school and started a hiking club for students. She acknowledged her past mistakes and asserted she is well-equipped to maintain her sobriety and continue teaching.

LEGAL CONCLUSIONS

Burden and Standard of Proof

1. Because this case involves a professional license, complainant bears the burden of proof to establish cause for adverse action by clear and convincing evidence to a reasonable certainty. (*Ettinger v. Board of Medical Quality Assurance* (1982) 135 Cal.App.3d 853, 855-856.) This means the burden rests with complainant to offer proof that is clear, explicit, and unequivocal, "so clear as to leave no substantial doubt" and "sufficiently strong to command the unhesitating assent of every reasonable mind." (*In re Marriage of Weaver* (1990) 224 Cal.App.3d 478, 487, citations omitted.)

Applicable Law

2. Education Code section 44000 et seq. and California Code of Regulations, title 5 (CCR), section 80000 et seq., provide that the Commission is responsible for

credentialing teachers in public schools in California, including issuing credentials and taking adverse action against applicants and credential holders. "Adverse action" includes a private admonition or public reproof of a credential holder, or the suspension or revocation of a credential. (Ed. Code, § 44000.5; CCR, § 80300, subd. (a).) A suspension may be stayed on conditions of probation if the stay and performance of specified rehabilitative or probationary duties by the credential holder during the period of the stay are consistent with the purposes of professional discipline. (CCR, § 80300, subd. (t).)

3. The Commission is authorized to take adverse action against an individual's teaching credential for immoral conduct, unprofessional conduct, evident unfitness for service, or any cause which would warrant denial of an application for a credential, including committing acts involving moral turpitude. (Ed. Code, §§ 44421; 44345, subd. (e).) Any adverse action must be based upon reasons related to the credential holder's fitness to teach.

4. The Commission set forth factors to consider in determining the relationship between a credential holder's misconduct and their fitness, competence, or ability to perform the duties authorized by the credential. The factors, also known as the *Morrison* factors, include the likelihood the conduct may have adversely affected students, fellow teachers, or the educational community and the degree of impact; the proximity or remoteness in time of the conduct; the type of certificate held or applied for; the extenuating or aggravating circumstances surrounding the conduct; the praiseworthiness or blameworthiness of the motives resulting in the conduct; the probability that the questioned conduct will recur; the extent to which adverse action may have a chilling effect upon the constitutional rights of the person involved or on

other certificated persons; and the publicity or notoriety given to the conduct. (CCR, § 80302; see also *Morrison v. State Board of Education* (1969) 1 Cal.3d 214, 224–225.)

Cause for Discipline

UNPROFESSIONAL CONDUCT

5. Complainant seeks to discipline respondent's credential because she engaged in unprofessional conduct.

6. "Unprofessional conduct" is conduct which violates the rules or ethical code of a profession or is such conduct that is unbecoming of a member of a profession in good standing. (*Board of Educ. of City of Los Angeles v. Swan* (1953) 41 Cal.2d 546, 553 (*Swan*).) "A teacher . . . in the public school system is regarded by the public and pupils in the light of an exemplar, whose words and actions are likely to be followed by the children coming under her care and protection." (*Swan, supra*, 41 Cal.2d at p. 552; citations omitted.) In *Goldsmith v. Board of Ed. of Sacramento High School Dist.* (1924) 66 Cal.App. 157, 168, the court noted: "[T]he teacher is entrusted with the custody of children and their high preparation for useful life. His habits, his speech, his good name, his cleanliness, the wisdom and propriety of his unofficial utterances, his associations, all are involved. His ability to inspire children and to govern them, his power as a teacher, and the character for which he stands, are of major concern in a teacher's selection and retention."

IMMORAL CONDUCT

7. Complainant seeks to discipline respondent's credential because she engaged in immoral conduct.

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8. "Immoral conduct" means conduct that is willful, flagrant, or shameless, conduct showing moral indifference to the opinions of respectable members of the community, and as an inconsiderate attitude toward good order and the public welfare. It is sometimes used as indicating a high degree of unfairness. (*Board of Ed. of the San Francisco Unified School Dist. v. Weiland* (1960) 179 Cal.App.2d 808, 811.) Immoral conduct can be construed according to common usage. "The term 'immoral' has been defined generally as that which is hostile to the welfare of the general public and contrary to good morals. Immorality has not been confined to sexual matters, but includes conduct inconsistent with rectitude, or indicative of corruption, indecency, depravity, dissoluteness; or as willful, flagrant, or shameless conduct showing moral indifference to the opinions of respectable members of the community, and as an inconsiderate attitude toward good order and the public welfare." (*Palo Verde Unified School District of Riverside v. Hensey* (1970) 9 Cal.App.3d 967, 972.)

ACTS OF MORAL TURPITUDE

9. Complainant seeks to discipline respondent's credential because she engaged in acts of moral turpitude.

10. Moral turpitude means an act of "baseness, vileness or depravity." (*In re Craig* (1938) 12 Cal.2d 93, 97.) In *People v. Forster* (1994) 29 Cal.App.4th 1746, the court concluded continuing to drive while intoxicated despite the knowledge of the serious risks it imposes upon other drivers is indicative of a "conscious indifference or 'I don't care attitude' concerning the ultimate consequences of the activity (*People v. Ochoa* (1993) 6 Cal. 4th 1199, 1208 [citation]) from which one can certainly infer a 'depravity in the private and social duties which a man owes to his fellowmen, or to society in general, contrary to the accepted and customary rule of right and duty

between man and man.'" (*People v. Forster*, *supra*, 29 Cal.App.4th at p. 1757, citing *People v. Mansfield* (1988) 200 Cal.App.3d 82, 87.)

ANALYSIS

11. Complainant established by clear and convincing evidence respondent's 2020 DUI offense was unprofessional and immoral conduct and involved acts of moral turpitude. Driving with a blood-alcohol content of 0.21 percent, nearly three times the legal limit, after having suffered a DUI conviction just five years prior, is conduct unbecoming of a teacher. Respondent's false claim to CHP officers she did not drink and instead smoked marijuana, as well as her offer of a sexual favor to a CHP officer in exchange for her release, were likewise unbecoming of a teacher. Respondent's conduct was immoral in that it demonstrated an inconsiderate attitude toward good order and the public welfare. After her 2015 DUI conviction and 2019 Commission disciplinary action, respondent knew driving under the influence of alcohol is a dangerous activity which places the public at risk. Her decision to drive while intoxicated despite such knowledge was an act involving moral turpitude because it indicated an indifference toward the consequences of her conduct. Cause therefore exists to discipline respondent's credential, pursuant to Education Code sections 44421 and 44345, subdivision (e).

FITNESS TO TEACH

12. Applying the *Morrison* factors, complainant established by clear and convincing evidence respondent's 2020 DUI offense has a direct nexus to her credential and the profession of teaching. There was no evidence presented of respondent's misconduct adversely affecting her students, teachers, or the educational community; however, her repeated disregard for public safety did not set a good

example for children. Respondent's misconduct is not remote in time, with her DUI offense occurring just over three years ago and her DUI conviction occurring two years ago. There were several aggravating circumstances surrounding respondent's 2020 DUI offense: her blood-alcohol content was almost three times the legal limit of 0.08 percent; her five-year probation period for her 2015 DUI conviction had only recently expired; she was dishonest with CHP officers and offered a sexual favor to an officer in exchange for her release; and she was disciplined by the Commission for her 2015 DUI conviction just one year before committing another DUI offense. Respondent's conduct posed a significant threat to public safety and is incompatible with a teacher's status and duties. (*Broney v. Calif. Comm. On Teacher Credentialing* (2010) 184 Cal.App.4th 462, 477 [a teacher's third DUI conviction rendered her unfit to teach, citing the *Morrison* factors].) There was nothing praiseworthy about respondent's conduct. Although respondent is currently sober and testified credibly about her intent to remain sober, she has only been sober for about three years and will remain on criminal probation until October 21, 2025. (*In re Gossage* (2000) 23 Cal.4th 1080 [little weight is given to an individual's good behavior while on probation or parole].) Based on respondent's lengthy history of significant struggles with alcohol abuse, it is therefore premature to assess the likelihood of relapse. Although the evidence did not disclose any specific publicity surrounding respondent's misconduct, information regarding criminal convictions is available to the public. Adverse action against respondent's credential therefore is warranted.

Disposition

13. Administrative proceedings to revoke, suspend, or impose discipline on a professional license are noncriminal and non-penal; they are not intended to punish

the licensee, but rather to protect the public. (*Hughes v. Board of Architectural Examiners* (1998) 17 Cal.4th 763, 785-786.)

14. The Commission's regulations set forth aggravating factors to consider when determining the degree of discipline to impose on a credential holder. Relevant aggravating factors include (1) a prior record of adverse action including the nature and extent of that record; (2) that the misconduct evidences multiple acts of wrongdoing or demonstrate a pattern of misconduct; (3) that the misconduct was surrounded by or followed by bad faith or dishonesty; (4) that the credential holder demonstrated indifference toward the consequence of the misconduct; and (5) that the credential holder had prior notice, warnings, or reprimands for similar conduct from any reliable source. (CCR, § 80300, subd. (b).)

15. The Commission's regulations also set forth mitigating factors to consider when determining the degree of discipline to impose on a credential holder. Relevant mitigating factors include (1) lack of harm to the person who is the object of the misconduct; (2) demonstration of good character of the credential holder attested to by references from the educational community or the general community from individuals aware of the extent of the holder's misconduct; (3) objective action taken by the credential holder, spontaneously demonstrating remorse at the time of the misconduct, and recognition of the wrongdoing which is designed to timely make amends for the consequences of the misconduct; and (4) the nature and extent of subsequent rehabilitation. (CCR, § 80300, subd. (m).)

16. Considering the aggravating and mitigating factors set forth in the Commission's regulations, respondent's misconduct warrants significant discipline. She was previously disciplined in 2019 by the Commission for similar conduct. Her 2020 DUI offense was her second DUI offense within six years. She had prior notice,

warnings, and reprimands from both the Commission and the court. At the time of her offense, respondent demonstrated dishonesty and indifference toward the consequences of her misconduct. However, respondent became sober after her 2020 arrest and has maintained her sobriety by building a robust support network through her participation in Sober Sis and Recovery Elevator. Many of her PCHS colleagues vouched for her character and teaching skill, though it was unclear how many of them were aware of her misconduct. Her misconduct occurred away from school during non-school hours, and there was no evidence she was intoxicated while at work. Her relapse after several years of sobriety occurred during a global pandemic, which was an extenuating circumstance. Complainant presented evidence of a pattern of misconduct occurring in 2013, 2014, and 2020, but there was no evidence presented of misconduct at school since 2013 and no evidence any of her misconduct directly adversely affected students. Considering respondent's lengthy career as a teacher, her continued work at PCHS for the past 10 years without issue, and her substantial rehabilitative efforts since her 2020 DUI offense, revocation of her credential is unduly harsh. Placing respondent's credential on probation for a three-year probationary period will adequately protect the public while allowing the Commission to monitor respondent's conduct. As a condition of probation, respondent will be required to serve a 120-day suspension of her credential during which time all probation conditions will be in full force and effect. An additional 120-day suspension will be stayed pending respondent's successful completion of probation.

ORDER

All teaching credentials and certificates issued to respondent Dawn Helen Pellerin are hereby suspended for 240 days. The suspension is immediately stayed in

part and effective in part: 120 days are stayed and respondent's credentials are placed on probation for a period of three years on the following conditions, including serving a 120-day suspension beginning on the effective date of this Decision.

SEVERABILITY CLAUSE: Each condition of probation contained herein is a separate and distinct condition. If any condition of probation, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remaining conditions of probation, and each of them, and all other applications thereof, shall not be affected. Each condition of probation shall separately be valid and enforceable to the fullest extent permitted by law.

1. SUSPENSION: Respondent's credentials and certificates shall be suspended for a period of 120 days, beginning on the effective date of this Decision. During the suspension period, all probation conditions are in full force and effect.

2. OBEY ALL LAWS: Respondent shall obey all federal, state, and local laws and regulations, including, but not limited to, the statutes and regulations of the commission. A full and detailed account of any and all arrests or citations for any violation of law (except minor traffic offenses) shall be reported by respondent to the Commission, in writing within 30 days of the arrest or citation.

3. COMPLIANCE WITH PROBATION: Respondent shall fully comply with the terms and conditions of this order and cooperate with representatives of the Commission in its monitoring and investigation of her compliance. Any credentials issued to respondent during the period of probation shall be subject to the conditions contained herein.

4. QUARTERLY REPORTS: Respondent shall submit quarterly reports, under penalty of perjury, in a form designated by the Commission, certifying and

documenting compliance with all terms and conditions of probation. Respondent shall execute release of information forms that may be reasonably required by the commission or its representatives.

5. INTERVIEWS AND MEETINGS WITH COMMISSION: During the period of probation, respondent shall appear in-person or be available by telephone at interviews or meetings as directed by the Commission or its representatives upon reasonable notice.

6. BIOLOGICAL FLUID TESTING: Respondent, at her expense, shall participate in a random, biological fluid testing or a drug screening program, previously approved by the Commission, for the detection of banned substances, including alcohol, all controlled substances, and dangerous drugs. The length of time and frequency will be subject to approval by the Commission. The respondent is responsible for keeping the Commission informed of respondent's current telephone number at all times. Respondent shall also ensure that messages may be left at the telephone number when she is not available and ensure that reports are submitted directly by the testing agency to the Commission, as directed. Any confirmed positive finding shall be reported immediately to the Commission by the program and respondent shall be considered in violation of probation.

7. THERAPY OR COUNSELING PROGRAM: Respondent, at her expense, shall participate in an on-going counseling program until such time as the Commission releases her from this requirement and only upon the recommendation of the counselor. Written progress reports from the counselor will be required at various intervals.

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8. ATTENDANCE AND PARTICIPATION IN GROUP SUPPORT MEETINGS:

Within five (5) days of the effective date of this Order, respondent shall begin attendance at an addictive behavior support group (e.g., Alcoholics Anonymous, or other similar support group), which has previously been approved by the Commission. Respondent shall attend at least one meeting of the approved support group per week for the duration of probation, or as otherwise directed by the Commission. Verified documentation of attendance shall be submitted by the respondent with each written report as required by the Commission.

9. CONTINUING EDUCATION: In each year of probation, respondent shall successfully complete a continuing education course in professional conduct and ethics. Respondent shall bear the costs thereof and provide written proof satisfactory to the Commission of his completion of said coursework.

10. MAINTAIN CURRENT CONTACT INFORMATION: Respondent must provide written notice to the Commission within ten days of any change of residency or address. Periods of residency outside of California shall not apply toward completion of the probationary period.

11. NOTIFICATIONS: The Commission shall be informed, in writing, of all employment of respondent that requires a credential. Respondent shall inform her employer of the reason for, and the terms and conditions of her probationary status and shall provide a copy of the Commission's Decision to her employer and immediate supervisor. Respondent shall authorize her employer to submit performance evaluations and other reports requested by the Commission. Respondent shall notify the Commission in writing within 72 hours after cessation of any employment that requires a credential. The notification shall contain a full explanation of the circumstances surrounding the cessation of employment.

12. VIOLATION OF PROBATION: The Commission shall retain jurisdiction over respondent's case during the period of probation. If respondent violates any term or condition of this Order, after giving her written notice and an opportunity to be heard on the issue of her violation of probation, the Commission may set aside the stay order and impose the suspension of respondent's credential. If an accusation or petition to revoke probation is filed against respondent during probation, the probation period shall automatically be extended until a final decision is made on the accusation or petition.

13. COMPLETION OF PROBATION: Upon successful completion of the terms of this probation, respondent's credentials shall be fully restored.

DATE: **11/08/2023**

Harden Sooper

HARDEN SOOPER

Administrative Law Judge

Office of Administrative Hearings