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Teacher Standards & Practices Commission

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

In the Matter of the ) STIPULATION OF FACTS AND  
Teaching License of ) FINAL ORDER OF REPRIMAND  
MARSHA DIANE ECKELMAN )

On or about May 8, 2010, the Teacher Standards and Practices Commission (Commission) received a report from the Lincoln County School District indicating that Marsha Diane Eckelman (Eckelman), failed to report possible child abuse (child on child), including sexual harassment, sex abuse, and assault allegations.

After review of the matters alleged, Eckelman 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 on Eckelman's Standard Administrator License.

By signing below, Eckelman 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 (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 Eckelman 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

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  
3 the Stipulated Final Order below.

#### 4 **STIPULATION OF FACTS**

- 5 1. Marsha D. Eckelman has been licensed as a teacher in Oregon since July 3, 1978.  
6 Eckelman's current Administrator License, with Standard Administrator, is valid  
7 October 14, 2010, through October 13, 2015. During all relevant times, Eckelman was  
8 employed by the Lincoln County School District.
- 9 2. On May 8, 2010, the Commission received a report from the Lincoln County School  
10 District indicating that Eckelman may have failed to make a mandatory report of  
11 child abuse.
- 12 3. During the relevant events Eckelman was employed as a Principal for the Lincoln  
13 County School District. In that position Eckelman had responsibility for addressing  
14 student referrals, the determination of student discipline and handling patron  
15 complaints at the building level.
- 16 4. The family of six year old male student in the ESOL-ESL program, a recent  
17 immigrant who spoke little to no English, disclosed to school officials, including  
18 Eckelman that the child was having problems at home, specifically bed wetting, and  
19 had been allowed to use diapers until the age of five.
- 20 5. As additional behavior issues arose with the male student, Eckelman was often  
21 involved because of her handling of related referrals, briefings and emails.
- 22 6. Eckelman attended meetings about the student's behavior with involved teachers,  
23 aides, other school staff and the parents of the student. These meetings discussed  
24 concerns including the bed wetting issue, intentional urination on the bathroom  
25 floor, inappropriate touching of other students, and kissing or attempting to kiss  
26 other students. Much of these meetings were conducted in Spanish, which Eckelman  
27 does not speak, but Eckelman acknowledged she was aware of the issues discussed at  
28 these meetings.
- 29 7. Eckelman became aware of an incident where the male student exposed his penis to  
30 another student on the school bus. Eckelman addressed the referral from the bus  
31 driver two days after the event by "telling the student to keep his hands and feet to  
32 himself".
- 33 8. Following these meetings the assembled educators began to devise a plan to deal  
34 with the behavior issues including adjusting the seating chart, directly supervising

- 1 recess, monitoring bathroom procedures and increased monitoring of the male  
 2 student. None of the involved educators reported these behaviors to DHS or law  
 3 enforcement.
- 4 9. Eckelman was later investigated by police for failure to report child abuse. Eckelman  
 5 plead no contest to, and was convicted of, failing to report child abuse, and fined  
 6 \$500.
- 7 10. The involved student was later professionally evaluated by police and the Oregon  
 8 Department of Human Services. Neither agency was able to determine whether the  
 9 student was in fact a victim of abuse.
- 10 11. Eckelman explained to TSPC investigators that at the time neither she nor the other  
 11 involved educators realized that the student's behavior also indicated warning signs  
 12 of abuse and required a mandatory child abuse report.
- 13 12. Eckelman explained that, looking back on the situation, she realized how she failed to  
 14 recognize the total seriousness of the student's behavior.

15 IT IS SO STIPULATED:

16	<i>Marsha Diane Eckelman</i>	<u>12-30-11</u>
17	Marsha Diane Eckelman	Date
18	<i>Victoria Chamberlain</i>	<u>12-19-11</u>
19	Victoria Chamberlain, Executive Director	Date
20	Teacher Standards and Practices Commission	
21		
22		

23 **CONCLUSION OF LAW**

24 Marsha Diane Eckelman's conduct constitutes gross neglect of duty in violation of ORS  
 25 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use of*  
 26 *professional judgment*); OAR 584-020-0040(4)(s) (*Failing to report child abuse pursuant to*  
 27 *ORS 419B.010*); and OAR 584-020-0040(5)(c) (*Conviction of violating any federal, state, or*  
 28 *local law. A conviction includes any final judgment of conviction by a court whether as the*  
 29 *result of guilty plea, no contest plea or any other means.*).

30 The Commission's authority to impose discipline in this matter is based upon ORS  
 31 342.175.

32 **ORDER**

1           The Commission adopts and incorporates herein the above findings of fact and  
2 conclusions of law, and based thereon, imposes a Public Reprimand on Marsha D.  
3 Eckelman's Standard Administrator License.

4           Issued and dated this 6<sup>th</sup> day of February, 2012.

5           **TEACHER STANDARDS AND PRACTICES COMMISSION**  
6           **STATE OF OREGON**

7           By *Victoria Chamberlain*  
8           Victoria Chamberlain, Executive Director  
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