

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

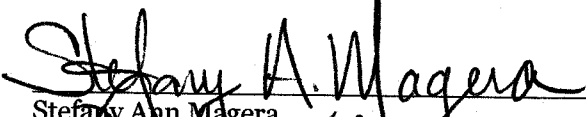
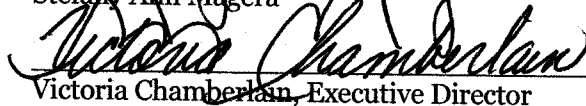
5 **STIPULATION OF FACTS**

- 6 1. Stefany Ann Magera has been licensed as a teacher in Oregon since May 27, 1997.
7 Magera's current Basic Teaching License, with endorsements in Basic Elementary,
8 Basic ESOL, and Basic Handicapped Learner, issued on May 22, 2008, expired on
9 May 21, 2011. During all relevant times, Magera was employed by the La Grande
10 School District. No application for renewal was received prior to expiration of the
11 license.
- 12 2. On May 20, 2009, while employed at La Grande High School, Magera asked a
13 colleague to obtain a student's cell phone. Magera wanted to check the phone
14 because she believed the student was inappropriately saving information about
15 Magera and Magera's family on her phone. This incident led to Magera receiving a
16 Letter of Directive from the district on August 28, 2009.
- 17 3. On September 18, 2009, Magera was issued a Letter of Reprimand by her school
18 district. The letter was issued after an allegation was made that, on September 17,
19 2008, Magera made comments to a student suggesting that she should not express
20 her concerns to her parents or the principal. On or about September 14, 2009,
21 Magera informed the District that she could no longer work with the student due to
22 psychological and mental health stress issues for which Magera was seeing a
23 therapist. Magera, through her union, asserted that the District was not entitled to
24 information from the therapist. There was no confirmation from Magera's therapist
25 that the issues for which she was being seen included such requirements.

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1 4. The school district had suggested that Magera not be alone with the student. Later,
2 on September 30, 2009, in spite of all the issues with this student, it was alleged that
3 Magera attempted to arrange for a private communication with the female student.
4 It was also reported that Magera was overheard asking the student what secrets she
5 had. When confronted about this incident Magera denied such a conversation.
6 Magera was then directed not to be alone with the student. Despite this directive, it
7 was reported that Magera had contact with the student in a classroom, away from
8 other staff and students who were in the room. Magera denied intentionally
9 contacting the student.

10 IT IS SO STIPULATED:

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12 _____
13 Stefany Ann Magera
14 
15 _____
16 Victoria Chamberlain, Executive Director
17 Teacher Standards and Practices Commission

1.16.2011

Date
7-27-11

Date

18 **CONCLUSION OF LAW**

19 Stefany Ann Magera's conduct as described in #2 above constitutes gross neglect of duty
20 in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-
21 0010(5) (*Use professional judgment*), OAR 584-020-0030(2)(a) (*Skill in communicating with*
22 *administrators, students, staff, parents, and other patrons*); and OAR 584-020-0040(4)(o) as
23 it incorporates OAR 584-020-0035(3)(a) (*Maintain the dignity of the profession by respecting*
24 *and obeying the law, exemplifying personal integrity and honesty*).

25 Magera's conduct as described in #3 above constitutes gross neglect of duty in violation
26 of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0040(4)(n)
27 OAR 584-020-0010(5) (*Use professional judgment*); OAR 584-020-0040(4)(o) as it
28 incorporates OAR 584-020-0035(3)(a) (*Maintain the dignity of the profession by respecting*
29 *and obeying the law, exemplifying personal integrity and honesty*), and OAR 584-020-
30 0040(4)(c) (*Knowing falsification of any document or knowing misrepresentation directly*
31 *related to licensure, employment, or professional duties*).

