



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

5 **STIPULATION OF FACTS**

- 6 1. The Commission has licensed Yarnell as a teacher in Oregon since September 20,  
7 1990. Yarnell's current Basic Teaching License, with an endorsement in Basic  
8 Elementary (PreK-Grade 9), Basic Physical Education (PreK-Grade 9), and Basic  
9 Health Education (PreK-Grade 9), issued on August 29, 2010, is valid until August  
10 28, 2013. During all relevant times, Yarnell was employed by the Tigard-Tualatin  
11 School District.
- 12 2. On or about April 15, 2008, Yarnell's School District assigned Yarnell to teach full-  
13 time Activities and Health at Tigard High School. The District indicated that Yarnell  
14 would need to work with Melissa Griffith in Human Resources to obtain a  
15 Conditional Assignment Permit for the new assignment.
- 16 3. Neither the School District nor Yarnell applied to TSPC for a Conditional Assignment  
17 Permit for Yarnell's new assignment.
- 18 4. On or about August 12, 2010, TSPC received Yarnell's application to renew her Basic  
19 Teaching License. Along with the application, TSPC received a Professional  
20 Education Experience Report (PEER Form), indicating that Yarnell taught  
21 "Activities/Health" in grades 9-12 from August 2008 through the end of the 2010-  
22 2010 school year. Yarnell's Basic Teaching license, however, was only valid for  
23 service in Pre-Kindergarten-through grade 9.
- 24 5. Yarnell served without a valid license for the period August, 2008 through the end of  
25 the 2009-2010 school year.

26 IT IS SO STIPULATED:

27 Melinda Danielle Yarnell  
28 Melinda Danielle Yarnell  
29 Victoria Chamberlain  
30 Victoria Chamberlain, Executive Director  
31 Teacher Standards and Practices Commission  
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10/17/12  
Date  
10-25-12  
Date

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**CONCLUSION OF LAW**

Yarnell taught "Activities/Health" in grades 9-12 from August 2008 through the end of the 2019-2010 school year without a valid License. This conduct 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*), OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(2)(a) (*Apply for, accept, offer, or assign a position of responsibility only on the basis of professional qualifications, and will adhere to the conditions of a contract or the terms of the appointment*) and OAR 584-020-0040(4)(r) (*knowingly working without a license*).

**ORDER**

The Commission adopts and incorporates herein the above findings of fact and conclusions of law, and based thereon, imposes a 30 day suspension of Melinda Danielle Yarnell's Basic Teacher License.

Issued and dated this 5<sup>th</sup> day of November, 2012.

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

By   
Victoria Chamberlain, Executive Director