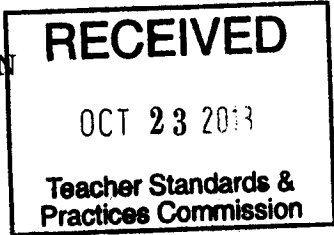


1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION  
2 OF THE STATE OF OREGON



3 In the Matter of the )  
4 Educator License of )  
5 MAUREEN ANN MCDONALD )

STIPULATION OF FACTS AND  
FINAL ORDER OF SUSPENSION  
AND PROBATION

6 On or about April 22, 2013 the Teacher Standards and Practices Commission (Commission)  
7 received a report from Dale Koger, Director of Human Resources for the Willamette Education Service  
8 District (WESD) indicating that Maureen Ann McDonald (McDonald) did not properly maintain or  
9 complete Individual Education Plans and student records.

10 McDonald fully cooperated with the Commission's investigation in this matter. After review of  
11 the matters alleged, McDonald and the Commission agree that their respective interests, together with  
12 the public interest, are best served by a stipulation to certain facts, the imposition of a thirty (30) day  
13 suspension of her educator license, and a four (4) year period of probation.

14 This document sets forth the facts upon which the parties have agreed and the stipulated  
15 sanction to be imposed. McDonald stipulates that there is sufficient evidence in the Commission's  
16 files and records to support the findings of fact, conclusions of law, and order set forth below.

17 By signing below, McDonald acknowledges, understands, stipulates, and agrees to the  
18 following: (i) she has been fully advised of her rights to notice and a hearing to contest the findings of  
19 fact, conclusions of law, and order set forth below, and fully and finally waives all such rights and any  
20 rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Suspension and  
21 Probation (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and  
22 disclosed to the public upon request by the Commission; (iii) this Stipulation and Final Order is  
23 contingent upon and subject to approval and adoption by the Commission. If the Commission does  
24 not approve and adopt this Stipulation and Final Order, then neither McDonald nor the Commission  
25 are bound by the terms herein; (iv) she has fully read this Stipulation and Final Order, and  
26 understands it completely; (v) she voluntarily, without any force or duress, enters into this Stipulation  
27 and Final Order and consents to issuance and entry of the Stipulated Final Order below; (vi) she states  
28 that no promises or representation has been made to induce her to sign this Stipulation and Final

1 Order; and (vii) she has consulted with an attorney regarding this Stipulation and Final Order and has  
2 been fully 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 the  
4 Stipulated Final Order below.

5 **STIPULATION OF FACTS**

- 6 1) The Commission has licensed McDonald since November 29, 2005. McDonald currently holds an  
7 Initial II Teaching License issued June 1, 2012, with endorsements in Early Intervention / Special  
8 Education (EISE), which expires on May 31, 2015. During all relevant times, McDonald was  
9 employed by the WESD.
- 10 2) On April 22, 2013, the Commission received a district report indicating McDonald may have  
11 committed acts which constitute gross neglect of duty. WESD conducted an audit of McDonald's  
12 Individualized Education Program (IEP) and Individualized Family Service Plan (IFSP) paperwork  
13 and discovered significant irregularities. Subsequent investigation determined that during the  
14 2012 – 2013 school year, McDonald had failed to complete, on more than one occasion, required  
15 IEP/IFSP paperwork properly. McDonald, failed to send certain required notices, in one instance  
16 copied over other team members' initials to a document related to special education services, and  
17 made paperwork and process errors that were inconsistent with some local policy and related law.  
18 During subsequent interviews, McDonald admitted to these errors.

19  
20 IT IS SO STIPULATED:

21 <u>Maureen McDonald</u>	<u>10.22.13</u>
22 Maureen Ann McDonald	Date
23 <u>Victoria Chamberlain</u>	<u>11-1-13</u>
24 Victoria Chamberlain, Executive Director	Date
25 Teacher Standards and Practices Commission	

26 **CONCLUSIONS OF LAW**

27 The above described conduct that Maureen Ann McDonald engaged in constitutes gross  
28 neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR  
29 584-020-0010(1) (*Recognize the worth and dignity of all persons and respect for each individual*),  
30 OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0025(2)(e) (*Using district lawful*  
31 *and reasonable rules and regulations*); and OAR 584-020-0040(4)(c) (*Knowing falsification of any*  
32 *document or knowing misrepresentation directly related to licensure, employment, or professional*

1 duties). The above conduct also constitutes gross unfitness in violation of ORS 342-175(1)(c); OAR  
2 584-020-0040(5)(b) (*Fraud or misrepresentation*).

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

4 **ORDER**

5 The Commission hereby adopts and incorporates herein the above stipulation of facts,  
6 conclusions of law, and based thereon hereby imposes a thirty (30) day suspension upon McDonald's  
7 Educator License as follows:

8 Maureen Ann McDonald's Educator License is hereby suspended for thirty (30) days following  
9 the adoption of this order.

10 Furthermore, the Commission imposes four (4) years of probation upon McDonald to  
11 commence upon reinstatement of her license and subject to the following terms and conditions of  
12 probation:

- 13 1. McDonald shall comply with the Standards for Competent and Ethical Performance of  
14 Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020.

15  
16 Violation of any term or condition of probation shall constitute an independent basis for the  
17 Commission to revoke McDonald's educator license or otherwise impose discipline, after first  
18 providing McDonald with notice and opportunity for hearing.

19  
20  
21 IT IS SO ORDERED this 11<sup>th</sup> day of November, 2013.

22 TEACHER STANDARDS AND PRACTICES COMMISSION

23  
24 By   
25 Victoria Chamberlain, Executive Director