

RECEIVED

MAR 27 2013

Teacher Standards & Practices Commission

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

3 In the Matter of the) STIPULATION OF FACTS AND
4 Educator License of) FINAL ORDER OF REPRIMAND
5 PAUL JOSEPH MURPHY)
6

7 On October 21, 2011, the Commission received information from the Malheur
8 Education Service District (MESD) on behalf of Superintendent Labrousse regarding
9 Paul Joseph Murphy (Murphy). It was reported that Murphy may have violated
10 professional standards by failing to provide 60 days notice of resignation as required by
11 contract and State Law ORS 342.553(1).

12 After review of the matters alleged, Murphy and the Commission agree that their
13 respective interests, together with the public interest, are best served by a stipulation to
14 certain facts and the imposition of a reprimand.

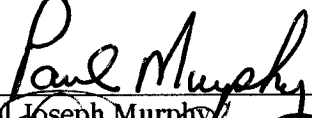
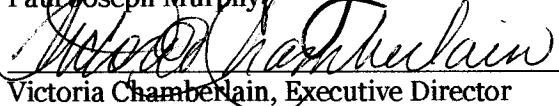
15 By signing below, Murphy acknowledges, understands, stipulates, and agrees to
16 the following: (i) he has been fully advised of his rights to notice and a hearing to contest
17 the findings of fact, conclusions of law, and order set forth below, and fully and finally
18 waives all such rights and any rights to appeal or otherwise challenge this Stipulation of
19 Facts and Final Order of Reprimand (Stipulation and Final Order); (ii) this Stipulation
20 and Final Order is a public document and disclosed to the public upon request by the
21 Commission; (iii) this Stipulation and Final Order is contingent upon and subject to
22 approval and adoption by the Commission. If the Commission does not approve and
23 adopt this Stipulation and Final Order, then neither Murphy nor the Commission are
24 bound by the terms herein; (iv) he has fully read this Stipulation and Final Order, and
25 understands it completely; (v) he voluntarily, without any force or duress, enters into
26 this Stipulation and Final Order and consents to issuance and entry of the Stipulated
27 Final Order below; (vi) he states that no promise or representation has been made to
28 induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an
29 attorney regarding this Stipulation and Final Order and has been fully advised with
30 regard to his rights thereto, or waives any and all rights to consult with an attorney prior
31 to entering into this Stipulation and Final Order and issuance and entry of the Stipulated
32 Final Order below.

33 **STIPULATION OF FACTS**

34 1. Paul Murphy has been licensed by the Commission since January 7, 2011. Murphy held
35 an Initial Teaching License, with an endorsement in Multiple Subjects (MIDLVL), and
36 Social Studies (HS, ML), issued January 7, 2011, which expired on July 7, 2012. During

- 1 all relevant times, Murphy was employed by the Malheur Education Service District
 2 (MESD).
 3 2. On October 21, 2011, the Commission was notified by MESD that Murphy may have
 4 violated professional standards by failing to provide 60 days notice of resignation as
 5 required by contract and State Law ORS 342.553(1).
 6 3. The Commission conducted an investigation and learned that while under contract with
 7 MESD, Murphy resigned his employment without providing the required 60 day notice
 8 as detailed in Murphy's employment contract and established in State Law. On July 26,
 9 2011, Murphy signed employment contracts with MESD for the school year of 2011-2012.
 10 On September 25, 2011, Murphy submitted his resignation to the superintendent
 11 effective immediately. Murphy advises that he resigned due to a family issue (parent's
 12 poor health) and needed to relocate. Murphy was aware of the requirements and
 13 consequences, regarding his breach of contract.
 14 4. MESD reported that the Murphy's sudden resignation caused the district and the
 15 alternative education program and students difficulties. It took approximately 30 days
 16 for MESD to fill Murphy's vacated position. The Commission's investigation determined
 17 that there were possible alternatives to a sudden resignation that may have served all
 18 parties and students better; FMLA/OFLA leave for example.

19 IT IS SO STIPULATED:

20		
21	_____	<u>3-25-13</u>
22	Paul Joseph Murphy	Date
23		
24	_____	<u>4-8-13</u>
25	Victoria Chamberlain, Executive Director	Date
26	Teacher Standards and Practices Commission	

27 **CONCLUSION OF LAW**

28 Paul Joseph Murphy failed to complete his contract and failed to provide the
 29 required 60 day notice of resignation, providing no advanced notice as detailed above.
 30 This conduct constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR
 31 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional*
 32 *judgment*); and OAR 584-020-0040(4)(j) (*Resignation from a contract in violation of*
 33 *ORS 342.553*).


1 The Commission’s authority to impose discipline in this matter is based upon
2 ORS 342.175.

3 **ORDER**

4 The Commission adopts and incorporates herein the above findings of fact and
5 conclusions of law, and based thereon, imposes a Public Reprimand on Paul Joseph
6 Murphy’s Initial Teaching License.

7 Issued and dated this 29th day of April, 2013.

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

10 By 
11 Victoria Chamberlain, Executive Director
12

CERTIFICATE OF MAILING

I HEREBY CERTIFY that I served the foregoing Stipulation of Facts and Final Order, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail — Return Receipt Requested, addressed to:

Paul Joseph Murphy
8000 Offenhauser Dr Apt 9B
Reno, NV 89511-1388

DATED this 7th day of May, 2013.

By:

Patty Liddell
Patty Liddell
Investigative Assistant