

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

3 In the Matter of the) STIPULATION OF FACTS AND
4 Teaching License of) FINAL ORDER OF PUBLIC
5 PATRICIA EILEEN MC AULIFFE) REPRIMAND AND PROBATION
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7 On or about May 14, 2012, the Teacher Standards and Practices Commission
8 (Commission) received a report from the Klamath County School District indicating
9 possible inappropriate conduct by Patricia Eileen McAuliffe (McAuliffe) during the
10 administration of a statewide test.

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

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

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1 **STIPULATION OF FACTS**

- 2 1. The Commission has licensed Patricia Eileen McAuliffe since February 28, 1979.
3 McAuliffe’s current Basic Teaching License with an endorsement in Basic
4 Elementary Education (014), issued on September 10, 2012, expires on
5 September 9, 2015. During all relevant times, McAuliffe worked as a teacher with
6 Klamath County School District.
- 7 2. On May 8, 2012, McAuliffe administered the Oregon Assessment of Knowledge
8 and Skills (OAKS) test to special education students in her classroom. During the
9 administering of this exam, McAuliffe improperly assisted students during the
10 course of the testing. McAuliffe would read aloud the words to the students, tell
11 them where an answer was, tell them to go back to the story and reread the
12 sentence for the correct answer, said “nope wrong answer”, if an answer was
13 wrong she said “no” or shake her head, or would ask, “are you sure that’s the
14 right answer.” McAuliffe had signed the Assurance of Test Security form prior to
15 administering the test.
- 16 3. McAuliffe has 34 years of otherwise unblemished teaching experience. McAuliffe
17 immediately and fully accepted responsibility for her actions, both with her
18 school district and the Commission’s investigation. McAuliffe advised that she
19 had felt pressure for her students to do well on the testing because of a new
20 Principal at the school. As a result of her actions, McAuliffe was suspended
21 without pay for a five day period by the school district. McAuliffe’s
22 Superintendent advised Commission investigators that “McAuliffe accepted her
23 actions without any excuses; she is an excellent teacher that has had no other
24 issues prior to this incident”.

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28 IT IS SO STIPULATED:

29 Patricia Eileen McAuliffe
30 Patricia Eileen McAuliffe

12.10.12
Date

31 Victoria Chamberlain
32 Victoria Chamberlain, Executive Director
33 Teacher Standards and Practices Commission
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12-19-12
Date

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CONCLUSION OF LAW

Patricia Eileen McAuliffe provided impermissible assistance to students during the administration of the OAKS test. This 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 584-020-0010(2)(*Encourage scholarship*), and OAR 584-020-0015(2)(a)(*Use of state and district adopted curriculum and goals*).

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

ORDER

Based on the foregoing, the Commission hereby orders as follows:

- 1. The Commission adopts and incorporates herein the above findings of fact and conclusions of law, and based thereon, imposes a Public Reprimand on Patricia Eileen McAuliffe’s Basic Teaching License.
- 1. McAuliffe is hereby placed on probation for a period of four (4) years from the date this order is signed by the Commission subject to the following conditions:
 - a. McAuliffe shall comply with the Standards for Competent and Ethical Performance of Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020.

Violation of any term or condition of probation shall constitute an independent basis for the Commission to revoke McAuliffe’s teaching license, revoke her right to apply for a license, or otherwise impose discipline, after first providing McAuliffe with notice and opportunity for hearing.

Issued and dated this 11th day of February, 2013.

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

By *Victoria Chamberlain*
Victoria Chamberlain, Executive Director