

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 Educator License of ) FINAL ORDER OF REPRIMAND  
5 KATHRYN ELIZABETH DALTON ) AND PROBATION

6  
7 On May 28, 2015, the Commission received a report from the Astoria School  
8 District indicating that Kathryn Elizabeth Dalton (Dalton) may have violated  
9 professional standards and local policy.

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

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

31 ///

32 **STIPULATION OF FACTS**

33 1. Kathryn Dalton has been licensed by the Commission since February 17, 2005. Dalton's  
34 Professional Teaching License, with endorsements in Special Education Generalist (PK-

1 12) and Elementary Multiple Subjects (PK-12), is valid from July 9, 2016, through July  
2 8, 2021. During all relevant times, Dalton was employed by the Astoria School District.

3 2. On May 28, 2015, the Commission received a district report indicating Dalton  
4 may have committed acts which constitute gross neglect of duty. Investigation  
5 determined that on or about April 2015, Dalton inappropriately assisted a student  
6 by typing the student's "Senior Project Paper" and related citations. This was  
7 done outside of the student's allowed IEP accommodations. The district  
8 determined Dalton's conduct was the equivalent of cheating for the student.  
9 Investigation further determined that during the 2013-2014 and 2014-2015  
10 school years, the district had been concerned about Dalton's special education  
11 paperwork and process. Dalton had been issued several formal reprimands, given  
12 time off without pay, and provided direction and work plans. District  
13 documentation indicates Dalton continued to fail to correct her conduct including  
14 failing to process IEP evaluations and paperwork within the required timeframes,  
15 forging signatures to official IEP paperwork, and working on IEP tasks during  
16 class time instead of during prep time as directed. The district also documented  
17 multiple occasions where Dalton repeatedly interacted and communicated  
18 unprofessionally with other staff. Dalton's continued communication issues and  
19 Dalton's IEP paperwork and process errors were determined by the school  
20 district to be in violation of district policy and related law.

21 3. On January 30, 2015, Dalton entered into a Letter of Informal Reapproval  
22 agreement with the Commission. This agreement included a two year monitoring  
23 period (01/30/15 thru 01/30/17) in which Dalton agreed to the following  
24 conditions:

- 25 a. Dalton will complete re-training in the area of mandatory reporting and  
26 will continue to complete any annual training in this area as required by  
27 her employer.
- 28 b. Dalton will ensure her continued compliance in following the district's  
29 policies and procedures and obeying all laws.
- 30 c. Dalton will comply with the Standards for Competent and Ethical  
31 Performance of Oregon Educators under Oregon Administrative Rules  
32 Chapter 584, Division 020.

33

1  
2  
3  
4  
5  
6  
7  
8  
9  
10

IT IS SO STIPULATED:

Kathryn Elizabeth Dalton  
Kathryn Elizabeth Dalton

2/11/17  
Date

Monica Beane  
Dr. Monica Beane, Executive Director  
Teacher Standards and Practices Commission

12/29/2016  
Date

11

**CONCLUSION OF LAW**

12  
13 Kathryn Elizabeth Dalton's conduct described in section two (2) above  
14 constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-  
15 0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*), OAR  
16 584-020-0025(2)(c) (*Using and maintaining student records as required by federal*  
17 *and state law and district policies and procedures*), OAR 584-020-0025(2)(e) (*Using*  
18 *district lawful and reasonable rules and regulations*), OAR 584-020-0030(2)(b) (*Skill*  
19 *in communicating with administrators, students, staff, parents, and other patrons*);  
20 and OAR 584-020-0040(4)(c) (*Falsification of any document or knowing*  
21 *misrepresentation directly related to licensure, employment, or professional duties*).  
22 The above conduct also constitutes gross unfitness in violation of ORS 342.175(1)(c);  
23 OAR 584-020-0040(5)(b) (*Fraud or misrepresentation*).

24 Kathryn Elizabeth Dalton's conduct as reported to the Commission on May 28,  
25 2015, and described in section two (2) above, occurred during Dalton's monitoring  
26 period, and in violation of Dalton's agreement, specifically conditions (b) and (c) as  
27 described in section three (3) above. This conduct constitutes gross neglect of duty in  
28 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-  
29 020-0010(5) (*Use professional judgment*); and OAR 584-020-0060(5)(b) (*If an*

1 educator fails to comply with the terms of a letter of informal reproof, the Commission  
2 may take disciplinary action against the educator based on failure to comply with the  
3 terms of the letter of informal reproof).

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

6

7

**ORDER**

8 The Commission adopts and incorporates herein the above findings of fact and  
9 conclusions of law, and based thereon, imposes a Public Reprimand on Kathryn  
10 Elizabeth Dalton's Oregon educator license.

11 Furthermore, the Commission imposes a period of two (2) years of probation  
12 upon Dalton to commence from the date this order is signed by the Commission and  
13 subject to the following conditions:

- 14 1. Dalton shall comply with the Standards for Competent and Ethical Performance  
15 of Oregon Educators under Oregon Administrative Rules Chapter 584, Division  
16 020.

17

18

Issued and dated this 26<sup>th</sup> day of January, 2017.

19

20

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

21

22

23

By Monica Beane  
Dr. Monica Beane, Executive Director

CERTIFICATE OF MAILING

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

Kathryn Elizabeth Dalton  
165 Kensington Ave  
Astoria, OR 97103

DATED this 24<sup>th</sup> day of February, 2017.

By: Patty Sheldon  
Patty Sheldon  
Investigative Assistant

Certificate of Mailing – Kathryn Elizabeth Dalton

Data Classification Level: 1 – Published  
DO: Sheldon