

1 Stipulation and Final Order and issuance and entry of the Stipulated Final Order below. This
2 Order sets forth the facts upon which the parties have agreed and the sanction to be imposed.
3 In entering into this stipulation, Ms. Shepherd waives the right to a hearing to contest the
4 findings of fact, conclusions of law and order set forth below.

5 **STIPULATION OF FACTS**

6 1. The Commission first licensed Ms. Shepherd on June 3, 1986. Ms. Shepherd
7 holds a basic teaching license with an expiration date of July 21, 2009. Ms Shepherd timely
8 applied for renewal of the license. On or about April 27, 2007, Ms. Shepherd squeezed student
9 TA's arms as she walked with him. Red marks were observed on TA's arms. During this
10 incident, Ms. Shepherd was upset and on the verge of tears. The red marks were not visible by
11 the principal in the afternoon.

12 2. On or about September 9, 2007 Principal Dawn Smith came into Ms.
13 Shepherd's room after hearing harsh tones directed at a student coming from her class. She
14 found a student sitting on the floor crying as Ms. Shepherd carried on her other duties.

15 3. On or about October 10, 2007, Principal Dawn Smith came into Ms. Shepherd's
16 room after hearing crying. She found a student on the floor crying while Ms. Shepherd
17 continued with a reading group. Twenty minutes later, Principal Smith found another student
18 under a table crying as Ms. Shepherd carried on with other tasks. She removed the student
19 from Ms. Shepherd's class. The showed signs of physical distress including sobbing,
20 hiccupping, sweating, and difficulty with speech.

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22 **IT IS SO STIPULATED AND AGREED TO:**

23 Deanna M. Shepherd
24 Deanna M. Shepherd

January 20, 2010
Date

25 Victoria Chamberlain
26 Victoria Chamberlain, Executive Director
27 Teacher Standards and Practices Commission
28

2-1-10 Feb. 1, 2010
Date

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CONCLUSIONS OF LAW

1. Ms. Shepherd's conduct described in paragraph 1 constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(d)(unreasonable physical force); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(1)(Recognize the worth and dignity of all persons and respect for each individual); OAR 584-020-0025(2)(a)(Establishing and maintaining classroom management that is conducive to learning); OAR 584-020-0030(2)(b)(Skill in communicating with students); OAR 584-020-0010(5)(Use professional judgment).

2. Ms. Shepherd's conduct described in paragraphs 2 and 3 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(1)(Recognize the worth and dignity of all persons and respect for each individual); OAR 584-020-0025(2)(a)(Establishing and maintaining classroom management that is conducive to learning); OAR 584-020-0030(2)(b)(Skill in communicating with students); OAR 584-020-0010(5)(Use professional judgment).

3. The Commission has the authority to impose discipline in this matter under ORS 342.120 through 342.430 and OAR Chapter 584.

FINAL ORDER

The Commission adopts and incorporates herein the above finding of facts, conclusions of law, and based thereon, imposes a Public Reprimand on Deanna M. Shepherd. This Order shall serve as the Public Reprimand. Ms. Shepherd will be placed on probation for two years beginning with the date this order is issued, subject to the following conditions:

1. Ms. Shepherd shall at her own expense attend and complete a classroom management course focused on redirecting students toward positive behavior by a provider subject to approval of the Commission;

