1 2		BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
3 4 5 6		the Matter of the Educator License of) DEFAULT ORDER OF LLIE PATRICIA WHITLOW) PUBLIC REPRIMAND
7 8		On September 12, 2012, the Teacher Standards and Practices Commission (Commission)
9	iss	ued a Notice of Opportunity for Hearing to Kellie Patricia Whitlow (Whitlow) in which the
10	Co	mmission charged her with Gross Neglect of Duty. The Notice was sent via U.S. First Class
11	Ma	il and U.S. Certified Mail Receipt 7011 2000 0001 1292 0356 to the address on file with the
12	Co	mmission. The Notice designated the Commission file as the record for purposes of proving a
13	pri	ma facie case. The Certified Mail was returned to the Commission "Unclaimed" on October
14	15,	2012. The regular mail was not returned to the Commission. The Notice of Opportunity of
15	He	aring, dated September 12, 2012, and signed by Victoria Chamberlain, Executive Director,
16	sta	ted:
17 18 19 20 21 22 23 24		"IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF YOU FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."
25	Wł	nitlow did not request a hearing. The Commission, therefore, finds Whitlow to be in default
26	ane	d enters the following findings of fact, conclusions of law, and final order, based on the files
27	ane	d records of the Commission concerning this matter.
28		FINDINGS OF FACT
29	1.	Kellie Patricia Whitlow has been licensed by the Commission since March 4, 2004.
30		Whitlow's Initial I Teaching License, with endorsements in Language Arts (HS, ML) and
31		Multiple Subjects (MIDLVL), was issued September 16, 2010, and expires on March 4, 2014.
32		During all relevant times, Whitlow was employed by the Mt. Angel School District.
33	2.	On February 18, 2011, during the administration of the State of Oregon Writing Assessment test,
34		Whitlow violated state test administration guidelines. As the test administrator, Whitlow provided
35		non-approved resources to students during the testing. Specifically, Whitlow provided copies of
36		writing samples in a handout and allowed them to be used by students during the testing process.
37		These non-approved resources were printed on the back side of documents that did contain
38		approved resources. The incident was reported to the ODE and the test was invalidated for several

students. The 2011 testing incident was Whitlow's second violation of state testing standards. In

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1	April of 2009, Whitlow allowed students access to un-approved resources during state testing.
2	Review of the 2009 testing impropriety by the ODE also led to invalidation of the testing process,
3	and the students had to be retested.
4	CONCLUSIONS OF LAW
5	Whitlow's conduct described in section two (2) above, constitutes gross neglect of duty in
6	violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-
7	0010(5) (Use professional judgment) and OAR 584-020-0025(e) (Using district lawful and
8	reasonable rules and regulations).
9	The Commission's authority to impose discipline in this matter is based upon
10	ORS 342.175.
11	FINAL ORDER
12	The Commission hereby issues a Public Reprimand upon Kellie Patricia Whitlow's
13	Educator licensure.
14	IT IS SO ORDERED THIS day of April, 2013.
15	TEACHER STANDARDS AND PRACTICES COMMISSION
	By: Victoria Chamberlain, Executive Director
16 17 18 19 20	By: Victoria Chamberlain, Executive Director
21	NOTICE OF APPEAL OR RIGHTS
22 23 24 25 26	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.

CERTIFICATE OF MAILING

I hereby certify that I served the foregoing notice of final order, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

Kellie Patricia Whitlow 1412 18th St Oregon City, OR 97045-1781

Dated this 24^{+h} day of April, 2013.

Patty Liddell

Investigative Assistant