

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

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

In the Matter of the)
Educator License of)
PAMELA COLLEEN BYERS) STIPULATION OF FACTS AND
FINAL ORDER OF PUBLIC
REPRIMAND AND PROBATION

On or about October 3, 2013, the Teacher Standards and Practices Commission (Commission) received information from the National Association of State Directors of Teacher Education and Certification (NASDTEC), regarding Pamela Byers (Byers). The resulting investigation determined that Byers failed to answer a character question on her Commission application accurately.

After review of the matters alleged, Byers and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts and the imposition of a Public Reprimand and two years of Probation.

This Order sets forth the facts upon which the parties have agreed and the sanction to be imposed. Byers stipulates that there are sufficient facts contained in the Commission's files and records to support the findings of fact and conclusions of law set forth below. In entering into this stipulation, Byers waives the right to a hearing to contest the findings of fact, conclusions of law and order set forth below.

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

1 attorney prior to entering into this Stipulation and Final Order and issuance and entry of
2 the Stipulated Final Order below.

3 **STIPULATION OF FACTS**

- 4 1. The Commission has licensed Byers since November 12, 1981. Byers' license
5 lapsed in 1986. Byers' Basic Teaching License, with an endorsement in Basic
6 Music (018), is valid from January 31, 2012, through January 28, 2016.
- 7 2. On October 3, 2013, Byers' file was referred to investigations to review
8 information received from the National Association of State Directors of Teacher
9 Education and Certification (NASDTEC). NASDTEC reported an investigation
10 and disciplinary action taken by the State of Idaho against Byers' Idaho teaching
11 license.
- 12 3. Commission investigation determined the following timeline of events:
- 13 • March 10, 2011 – Byers was made aware of investigation by Idaho DOE.
 - 14 • January 12, 2012 – TSPC received Byers' C-1 Application for licensure.
15 Byers answered "No" to all Character Questions.
 - 16 • January 25, 2013 – Byers signed the Idaho Stipulation and Consent Order
17 that went into effect on April 4, 2013; and Idaho reinstated Byers' Idaho
18 teaching license in December 2013.

19 The Commission investigation concluded that at the time Byers signed and
20 submitted her application to the Commission, Byers was aware of and subject to
21 the misconduct investigation ongoing in Idaho, and the proper answer for
22 character question number two should have been "Yes".

23 / / /

24 / / /

25 / / /

26 IT IS SO STIPULATED:

27 Pamela Colleen Byers
28 Pamela Byers

May 15, 2015
Date

30 Victoria Chamberlain
31 Victoria Chamberlain, Executive Director
32 Teacher Standards and Practices Commission
33

5-26-15
Date

34
35
36

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

CONCLUSION OF LAW

The conduct described above 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*); and OAR 584-020-0040(4)(c) (*Falsification of any document or knowing misrepresentation directly related to licensure, employment, or professional duties*).

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 Pamela Colleen Byers' Educators License;
2. Byers is hereby placed on probation for a period of two (2) years from the date this order is signed by the Commission subject to the following conditions:
 - a. Byers 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 Byers' teaching license, revoke her right to apply for a license, or otherwise impose discipline, after first providing Byers with notice and opportunity for hearing.

Issued and dated this 25th day of June, 2015.

TEACHER STANDARDS AND PRACTICES COMMISSION

STATE OF OREGON

By 

Victoria Chamberlain, Executive Director

CERTIFICATE OF MAILING

I HEREBY CERTIFY that I served the foregoing Stipulation of Facts and Final Order of Public 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:

Pamela Colleen Byers
77618 Valen Loop
Enterprise, OR 97828-5113

DATED this 30th day of July, 2015.

By:



Patty Liddell
Investigative Assistant

Certificate of Mailing – Pamela Colleen Byers

Data Classification Level: Either 2- Published or 3 – Confidential
DO: Liddell