## 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 PUBLIC 5 ERIN A. D'ARCY ) REPRIMAND AND PROBATION 6 7 On or about March 10, 2017, the Teacher Standards and Practices Commission 8 (Commission) opened an investigation after receiving information indicating possible 9 professional misconduct on the part of licensed educator, Erin A. D'Arcy (D'Arcy). 10 After review of the matters alleged, D'Arcy 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 This Order sets forth the facts upon which the parties have agreed and the 14 sanction to be imposed. D'Arcy stipulates that there are sufficient facts contained in the 15 Commission's files and records to support the findings of fact and conclusions of law set 16 forth below. In entering into this stipulation, D'Arcy waives the right to a hearing to 17 contest the findings of fact, conclusions of law and order set forth below. 18 By signing below, D'Arcy acknowledges, understands, stipulates, and agrees to 19 the following: (i) she has been fully advised of her rights to notice and a hearing to 20 contest the findings of fact, conclusions of law, and order set forth below, and fully and 21 finally waives all such rights and any rights to appeal or otherwise challenge this 22 Stipulation of Facts and Final Order of Public Reprimand and Probation (Stipulation and 23 Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to 24 the public upon request by the Commission; (iii) this Stipulation and Final Order is 25 contingent upon and subject to approval and adoption by the Commission. If the 26 Commission does not approve and adopt this Stipulation and Final Order, then neither 27 D'Arcy nor the Commission are bound by the terms herein; (iv) she has fully read this 28 Stipulation and Final Order, and understands it completely; (v) she voluntarily, without 29 any force or duress, enters into this Stipulation and Final Order and consents to issuance 30 and entry of the Stipulated Final Order below; (vi) she states that no promise or 31 representation has been made to induce her to sign this Stipulation and Final Order; and 32 (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 attorney prior to entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order below.

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## STIPULATION OF FACTS

- 1. The Commission has licensed D'Arcy since January 9, 1989. D'Arcy's Basic Teaching License, with endorsements in Basic Elementary (016) and Basic Reading (019), was valid from February 27, 2014, through February 26, 2017. On February 22, 2017, D'Arcy submitted an application for renewal, and her license status was stayed pending the outcome of the Commission's investigation. Commission staff advised D'Arcy that her application was incomplete due to lack of required Professional Development Units (PDU), and she had until April 26, 2018, to submit valid PDU's to complete her application. On April 26, 2018, D'Arcy failed to submit the required PDUs, her application was closed, and her license expired.
- 2. On March 10, 2017, the Commission received a report from the Multnomah Education Service District (MESD) indicating D'Arcy may have committed an act of gross neglect of duty and/or gross unfitness. Specifically, that D'Arcy had submitted materials in support of her Professional Development Units (PDU's) required for the renewal of D'Arcy's Oregon Educator License that appeared altered and/or forged.
- 3. MESD's review of the documents D'Arcy submitted for verification and approval as qualifying PDU's indicate they had been fraudulently altered. A total of approximately sixteen separate submissions of various trainings and professional development courses appear to have been falsified. Investigation indicates that many of these certificates are purported to be from recent courses; however, these courses have not been available for many years and could not have been attended on the dates indicated on the documents. Inspection of the documents clearly show that the original dates had been changed, whited out, and written in by hand. Several of the certificates D'Arcy provided indicated the course was taught by providers that no longer instruct those classes and could not have taught the classes as indicated by the fraudulent / forged dates. In addition to the falsified certificates D'Arcy presented to MESD, D'Arcy also submitted a "Log of Professional Development Activities". This log includes a line item listing of each of the falsified certificates D'Arcy provided to MESD. Investigation has determined D'Arcy's submitted log is a false representation of D'Arcy's PDU's and was submitted in a fraudulent attempt to qualify for license renewal with the Commission.

4. D'Arcy provided an explanation, stating that around the time in question, her husband was ill and recovering from a stroke. D'Arcy was stressed and had requested that her husband go through her PDU folder and prepare the documents for her application. D'Arcy claims she failed to review her husband's work prior to submitting the documents. D'Arcy understands she is responsible for the materials but attests she did not alter the documents, nor intentionally submit invalid materials. IT IS SO STIPULATED: Erin A. D'Arcy Trent Danowski, Deputy Director Teacher Standards and Practices Commission **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); OAR 584-020-0040(4)(c) (Falsification of any document or knowing misrepresentation directly related to licensure, employment, or professional duties); OAR 584-020-0040(4)(k) (Violation of any order or rule of the Commission); and OAR 584-020-0040(4)(0) as it OAR 584-020-0035(3)(a)(Maintain the dignity of the profession by respecting and obeying the law, exemplifying personal integrity and honesty). This above conduct also constitutes gross unfitness in violation of ORS 342.175(1)(c); OAR 584-020-0040(5)(b) (Fraud or misrepresentation). The Commission's authority to impose discipline in this matter is based upon ORS 342.175. /// 

1	ORDER	
2	The Commission adopts and incorporates herein the above fir	ndings of fact and
3	conclusions of law, and based thereon, imposes a Public Reprimand	on Erin A. D'Arcy's
4	Oregon educator licenses.	
5	Furthermore, the Commission imposes a period of two (2) year	ars of probation
6	upon D'Arcy's licensure to commence from the date D'Arcy's Oregon educator license i	
7	reinstated and subject to the following conditions:	
8	1. D'Arcy shall comply with the Standards for Competent and Et	:hical Performance
9	of Oregon Educators under Oregon Administrative Rules Cha	pter 584, Division
10	020.	
11	2. The Commission requires D'Arcy to complete Commission ap	proved training
12	related to Ethics and submit proof of completion prior to the	termination of her
13	probationary period.	
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15	Issued and dated this $20$ day of June, 2018.	
16	TEACHER STANDARDS AND PRACTICES COMMIS	SION
17	STATE OF OREGON	
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19	By Swift	
20	Dr. Anthony Rosilez, Executive Director	
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