

DEC 04 2019

Teacher Standards & Practices Commission

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
5 KIMBERLY OLSON) PUBLIC REPRIMAND
6
7

8 On April 21, 2017, the Teacher Standards and Practices Commission
9 (Commission) received a misconduct report from the Willamette Education Service
10 District (WESD), indicating possible professional misconduct on the part of licensed
11 educator, Kimberly Olson (Olson).

12 After review of the matters alleged, Olson and the Commission agree that their
13 respective interests, together with the public interest, are best served by a stipulation to
14 certain facts and the imposition of a Public Reprimand.

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

20 By signing below, Olson acknowledges, understands, stipulates, and agrees to the
21 following: (i) she has been fully advised of her rights to notice and a hearing to contest
22 the findings of fact, conclusions of law, and order set forth below, and fully and finally
23 waives all such rights and any rights to appeal or otherwise challenge this Stipulation of
24 Facts and Final Order of Public Reprimand (Stipulation and Final Order); (ii) this
25 Stipulation and Final Order is a public document and disclosed to the public upon
26 request by the Commission; (iii) this Stipulation and Final Order is contingent upon and
27 subject to approval and adoption by the Commission. If the Commission does not
28 approve and adopt this Stipulation and Final Order, then neither Olson nor the
29 Commission are bound by the terms herein; (iv) she has fully read this Stipulation and
30 Final Order, and understands it completely; (v) she voluntarily, without any force or
31 duress, enters into this Stipulation and Final Order and consents to issuance and entry of
32 the Stipulated Final Order below; (vi) she states that no promise or representation has
33 been made to induce her to sign this Stipulation and Final Order; and (vii) she has
34 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

NOV 14 2019

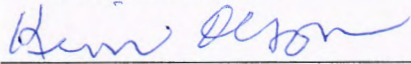
1 attorney prior to entering into this Stipulation and Final Order and issuance and entry of
2 the Stipulated Final Order below.

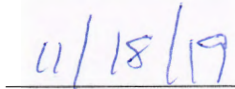
3 **STIPULATION OF FACTS**

- 4 1. The Commission has licensed Olson since December 1, 1998. Olson held a
5 Standard Teaching License, with an endorsement in Standard Communications
6 Disorders (PP-12), valid from April 29, 2014 through May 30, 2019. During all
7 relevant times, Olson was employed by Willamette Education Service District
8 (WESD).
- 9 2. On April 21, 2017, the Commission received a School District Misconduct Report
10 from WESD indicating Olson may have committed an act of gross neglect of duty
11 and/or gross unfitness related to attendance and special education services and
12 record keeping.
- 13 3. Investigation determined that during the 2016 – 2017 school year, Olson served
14 three school districts through the WESD providing speech language pathologist
15 services to SPED students on IEPs. During this time frame, Olson was chronically
16 absent, missing approximately 36% of her scheduled work time. WESD records
17 indicate that some of Olson’s time off was not accurately recorded, Olson used
18 “flex time” which she believed was authorized by past practice but was not, and
19 her absenteeism and failure to communicate absences resulted in some students
20 not receiving required services and errors and omissions in student record-
21 keeping leading to non-compliance, and in one district a contributing factor to
22 funding concerns, leading the school districts to express a desire to no longer
23 work with Olson.

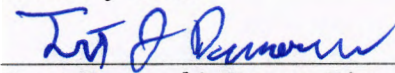
24
25 After WESD conducted their investigation and audits, they indicated that they
26 would move for termination of Olson’s employment. Olson resigned her
27 employment with WESD effective April 10, 2017 because she had already applied
28 for and accepted a new position with a different employer.

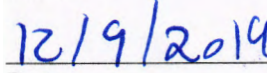
29
30 IT IS SO STIPULATED:

31 
32 _____
33 Kimberly Olson



Date

33 
34 _____
35 Trent Danowski, Deputy Director
36 Teacher Standards and Practices Commission



Date

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

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 584-020-0025(2)(c) (*Using and maintaining student records as required by federal and state law and district policies and procedures*); and OAR 584-020-0025(2)(e) (*Using district lawful and reasonable rules and regulations*).

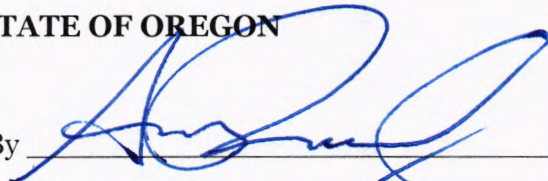
The Commission’s authority to impose discipline in this matter is based upon ORS 342.175.

ORDER

The Commission adopts and incorporates herein the above findings of fact and conclusions of law, and based thereon, imposes a Public Reprimand on Kimberly Olson’s Oregon educator license.

Issued and dated this 7 day of February, 2020.

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

By  _____
Dr. Anthony Rosilez, Executive Director