

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

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STIPULATION OF FACTS

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1. The Commission has licensed Birdsell since August 3, 1998. Birdsell currently holds a Professional Teaching License, with endorsements in Art (PK-12); Elementary – Multiple Subjects (PK-12); Foundational English Language Arts (PK-12); Foundational Social Studies (PK-12) and Special Education: Generalist (PK-12), valid from March 27, 2017, through March 26, 2022. During all relevant times, Birdsell was employed by the Hood River County School District (HRCSD).
2. On June 18, 2018, the Commission received a report from the HRCSD indicating Birdsell may have committed an act of gross neglect of duty and/or gross unfitness. Specifically, Birdsell initiated a class project which created a situation in which a student was bullied and harassed.
3. Investigation determined that on April 24, 2018, Birdsell reported to school administrators that a car in the school parking lot had a window decal with a sexual message derogatory towards females. The decal was removed approximately two hours after being reported to administrators. Birdsell shared a photo of the car and decal to an organization advocating for the prevention of women being sexually assaulted. Birdsell also spontaneously initiated a project in her art class in which students would write their feelings about the image on sticky notes and place them on the car. The car was not on campus, so instead Birdsell assisted students in displaying the photo and the sticky notes on a bulletin board in the school lobby. Many of the approximately fifty (50) notes written by students contained obscene or profane language directed at the student who owned the vehicle. A photo of the display was posted on social media where more negative and inappropriate posts were made towards the student. On May 8, 2018, the district issued you a reprimanded for your judgement and violation of district policies.

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1 IT IS SO STIPULATED:

2 Carol J. Birdsell
3 Carol J. Birdsell

12/13/2020

Date

4 Trent J. Danowski
5 Trent J. Danowski

12/15/2020

Date

6 Trent Danowski, Deputy Director
7 Teacher Standards and Practices Commission

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9 **CONCLUSION OF LAW**

10 The conduct described above constitutes gross neglect of duty in violation of ORS
11 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(1)
12 (*Recognize the worth and dignity of all persons and respect for each individual*), OAR
13 584-020-0010(5) (*Use professional judgment*), and OAR 584-020-0015(2)(e) (*Skill in the*
14 *selection and use of teaching techniques conducive to student learning*), and OAR 584-
15 020-0025(2)(e) (*Using district lawful and reasonable rules and regulations*).

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

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20 **ORDER**

21 The Commission hereby adopts and incorporates herein the above stipulation of
22 fact, conclusions of law, and based thereon hereby imposes a Public Reprimand upon
23 Carol J. Birdsell's Oregon educator license.

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25 Issued and dated this 5 day of February 2021 AR
~~November 2020.~~

26
27 **TEACHER STANDARDS AND PRACTICES COMMISSION**
28 **STATE OF OREGON**

29
30 By AR

31 Dr. Anthony Rosilez, Executive Director