

STIPULATION OF FACTS

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1. The Commission has licensed Partida since January 14, 2021. Partida holds a Preliminary Teaching License, with endorsements in Elementary - Multiple Subjects (PK-12) and English to Speakers of Other Languages (PK-12), valid from January 14, 2021, through November 11, 2024. During all relevant times, Partida was employed as a probationary teacher with the Tigard-Tualatin School District (TTSD).

2. On November 30, 2021, the Commission received a report from the TTSD indicating Partida had engaged in conduct that may be considered gross neglect of duty and/or gross unfitness. Specifically, the TTSD reported that in November 2021, Partida left a pre-kindergarten (PK) student unattended, used unreasonable physical force to control a PK student, inappropriately restrained a PK student, and used an unprofessional verbal tone with a PK student.

3. Investigation determined that in the first week of November 2021, Partida left a three (3) year-old PK student who had not completed an assignment alone in the classroom for approximately five (5) minutes while Partida and the class went to recess. An instructional assistant entering the classroom found the student crying, assisted the student in completing the assignment and then escorted the student to recess. Partida said from outside the classroom, she was able to observe the student from the window of the classroom door and a large window on the classroom wall and only moved away this area after observing an instructional assistant enter the classroom.

4. Investigation determined that in the second week of November 2021, a PK student was moving around the classroom and refusing to comply with Partida's verbal directions to participate in a group activity. Partida moved towards the student and grabbed the student in a vigorous manner which caused the student to cry. Partida said the student inadvertently stepped on another student and was about to fall on some other sitting students after losing his balance. Partida said she intervened by grabbing the unbalanced student and guiding him to an open spot on the floor with the group.

1 In the second week of November 2021, a PK student was repeatedly leaving his
2 cot during nap time. Eventually, Partida vigorously directed the student into
3 sitting in a chair and then continued to keep the student in the chair when the
4 student attempted to get up. Partida said initially two students were not staying
5 on their cots and the instructional assistants who normally supported these
6 students were unavailable. Partida said that while she was getting the two
7 students relaxed and, on their cots, a third student got up from his cost and
8 would not remain on this cot as directed. Partida said she held the student's
9 hand, directed the student to a chair and applied pressure to the student similar
10 to a weighted compression vest use to comfort some special needs children.
11

12 In the second week of November 2021, a PK student disrupted the classroom by
13 disorganizing another student's materials. Partida vigorously sat the student
14 down, invaded the student's personal space, and raised her voice at the student.
15 Partida said she that because the student was sitting, when she lowered herself to
16 the student's level, and because of the student's disability, when she held the
17 student's hand to focus his attention while she corrected the student, it could
18 appear that she was overly close to and physical with the student.
19

20 5. The TTSD determined Partida's conduct violated district policies and state law
21 and on December 1, 2021, informed Partida of their intention to terminate her
22 employment. On December 13, 2021, after meeting with union representation,
23 Partida signed a resignation agreement with the district.

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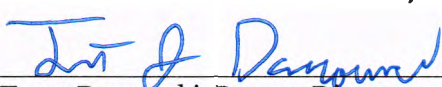
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27 IT IS SO STIPULATED:

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29 _____
30 Maria Lemus Partida

08-30-2022
Date

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

08/31/2022
Date

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CONCLUSION OF LAW

The conduct described section three (3) and four (4) 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 judgement*), OAR 584-020-0020(2)(d)(*Skill in the supervision of students*), OAR 584-020-0025(2)(e) (*Using district lawful and reasonable rules and regulations*); and OAR 584-020-0040(4)(d) (*Unreasonable physical force against students, fellow employees, or visitors to the school, except as permitted under ORS 339.250*).

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

ORDER

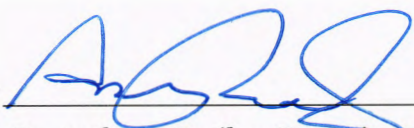
The Commission adopts and incorporates herein the above findings of fact and conclusions of law, and based thereon, imposes a Public Reprimand on Maria Lemus Partida’s Oregon educator license.

Furthermore, the Commission imposes a period of two (2) years of probation upon Partida’s license to commence from the date the order is signed by the Commission and subject to the following condition:

- 1. Partida shall comply with the Standards for Competent Ethical Performance of Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020.

Issued and dated this 14 day of October, 2022.

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

By  _____
Dr. Anthony Rosilez, Executive Director