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

In the Matter of the) STIPULATION OF FACTS AND
Educator License of) FINAL ORDER OF PUBLIC
ANN M. WHITTEMORE) REPRIMAND AND PROBATION

On October 3, 2022, the Teacher Standards and Practices Commission (Commission) received information from Oregon’s Department of Human Services (DHS) alleging that Ann M. Whittemore (Whittemore) used unnecessary physical force with a student on September 23, 2022. On October 10, 2022, the Commission received a misconduct report from the Hillsboro School District (District) also alleging Whittemore used unnecessary physical force on a student on September 23, 2022.

After review of the matters alleged, Whittemore and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts, the imposition of a Public Reprimand of Whittemore’s license, and a one (1) year period of probation.

This Order sets forth the facts upon which the parties have agreed and the sanction to be imposed. In entering into this stipulation, Whittemore waives the right to a hearing to contest the findings of fact, conclusions of law and order set forth below.

By signing below, Whittemore 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 Whittemore 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

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

3
4 **STIPULATION OF FACTS**

5 1. The Commission has licensed Whittemore since July 16, 2013. Whittemore holds
6 a Professional Teaching License, with endorsements in Special Education –
7 Generalist (PK-12) and Elementary – Multiple Subjects (PK-12), valid from
8 December 13, 2018, through December 9, 2023. During all relevant times,
9 Whittemore was employed by the Hillsboro School District (HSD).

10
11 2. On October 3, 2022, the Commission received information from DHS reporting
12 allegations Whittemore had engaged in conduct that may be considered gross
13 neglect of duty and/or gross unfitness. Specifically, DHS reported that on
14 September 23, 2022, Whittemore allegedly yelled at and used unnecessary
15 physical force to control a student at Groner Elementary School.

16
17 On October 10, 2022, the Commission received a misconduct report from the
18 HSD reporting allegations Whittemore had engaged in conduct that may be
19 considered gross neglect of duty and/or gross unfitness. Specifically, the HSD
20 reported that on September 23, 2022, Whittemore allegedly grabbed and pulled a
21 student across the classroom at Groner Elementary School.

22
23 3. Investigation found that on September 23, 2022, Whittemore stopped by a Social
24 Learning Center classroom to check on a para-educator. The para-educator was
25 working with an eight (8) year-old special needs student. After approximately ten
26 (10) minutes, Whittemore was preparing to leave. The para-educator told the
27 student it was time to work on math. The student was non-compliant. After
28 Whittemore made several attempts to get the student to do schoolwork, she
29 directed the student to a chair. The student continued to be non-compliant and
30 refused to sit and tried to move away from the chair. Eventually, Whittemore
31 positioned herself to restrict the student's movement. After the student was in the
32 chair, Whittemore moved away from the student and the student retreated from
33 Whittemore. Whittemore made no report to school administrators on the
34 restraint of the student.

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4. On September 26, 2022, Whittemore was placed on administrative leave. On October 7, 2022, Whittemore submitted her resignation to the District.

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IT IS SO STIPULATED:

Ann Whittemore 12/12/23
Ann M. Whittemore Date

Cristina Edgar 12/19/23
Cristina Edgar, Director of Professional Practices Date
Teacher Standards and Practices Commission

CONCLUSION OF LAW

The conduct described in section three (3) 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 584-020-0020(2)(d) (*Skill in the supervision of students*), OAR 584-020-0025(2)(e) (*Using district lawful and reasonable rules and regulations*), OAR 584-020-0030(2)(b) (*Skill in communicating with administrators, students, staff, parents, and other patrons*), 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 upon Ann M. Whittemore's Oregon educator license.

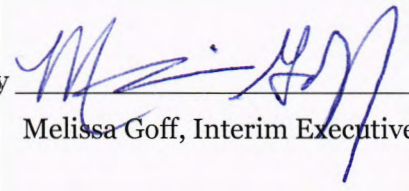
Furthermore, the Commission imposes a period of one (1) year of probation upon Whittemore's Oregon educator license and subject to the following conditions:

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

1 2. Whittemore shall successfully complete a Commission approved training course
2 on de-escalation within six (6) months of the adoption of this final order and
3 provide evidence to the Commission of such training.
4

5 Issued and dated this 2 day of February 2024.

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

8
9 By  _____
10 Melissa Goff, Interim Executive Director