1	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
2	OF THE STATE OF OREGON
3 4 5 6	In the Matter of the) STIPULATION OF FACTS AND Teaching License of) FINAL ORDER OF REPRIMAND HEIDI KELLAR (fka Berryman-Kellar))
7	On or about February 12, 2008, the Teacher Standards and Practices
8	Commission (Commission) received a report indicating possible inappropriate conduct
9	by Heidi Kellar, a teacher in the Santiam Canyon School District.
10	After review of the matters alleged, Ms. Kellar and the Commission agree that
11	their respective interests, together with the public interest, are best served by a
12	stipulation to certain facts and the imposition of a public reprimand.
13	By signing below, Ms. Kellar acknowledges, understands, stipulates, and agrees
14	to the following: (i) she has been fully advised of her rights to notice and a hearing to
15	contest the findings of fact, conclusions of law, and order set forth below, and fully and
16	finally waives all such rights and any rights to appeal or otherwise challenge this
17	Stipulation of Facts and Final Order of Reprimand (Stipulation and Final Order); (ii) this
18	Stipulation and Final Order is a public document and disclosed to the public upon
19	request by the Commission; (iii) this Stipulation and Final Order is contingent upon and
20	subject to approval and adoption by the Commission; (iv) she has fully read this
21	Stipulation and Final Order, and understands it completely; (v) she voluntarily, without
22	any force or duress, enters into this Stipulation and Final Order and consents to
23	issuance and entry of the Stipulated Final Order below; (vi) she states that no promise or
24	representation has been made to induce her to sign this Stipulation and Final Order; (vii)
25	she has consulted with an attorney regarding this Stipulation and Final Order and has
26	been fully advised with regard to her rights thereto, or waives any and all rights to
27	consult with an attorney prior to entering into this Stipulation and Final Order and
28	issuance and entry of the Stipulated Final Order below; and (viii) if the Commission does

1 not approve and adopt this Stipulation and Final Order, then neither Ms. Berryman-Kellar 2 nor the Commission are bound by the terms herein. 3 STIPULATION OF FACTS 4 1. The Commission has licensed Ms. Kellar since August 10, 2000. Ms. Kellar 5 currently holds a Continuing Teaching License, with an endorsement in English for Speakers of Other Languages (ESOL), issued February 20, 2008 and valid 6 7 through February 25, 2013. 2. Ms. Kellar assisted students inappropriately during the 2008 Oregon Statewide 8 9 Writing Assessment by reviewing the students' responses and assisting the 10 students if they did not transfer the answers exactly into their test booklets. Ms. Kellar also admitted to listening to students read their responses and then stating 11 12 in substance, "You paused there, so what would go there?" indicating some type 13 of punctuation was needed. 14 15 IT IS SO STIPULATED: 16 $\frac{3-1-10}{\text{Date}}$ 17 18 Heidi Kellar 19 20. 21 Victoria Chamberlain, Executive Director 22 Teacher Standards and Practices Commission 23 111 24 **CONCLUSION OF LAW** Ms. Kellar assisted students inappropriately, as described in paragraph 2 above. 25 This conduct constitutes Gross Neglect of Duty in violation of OAR 584-020-0040(4)(n) 26 as it incorporates OAR 584-020-0015(2)(a) (Use of state and district adopted curriculum 27 28 and goals) and OAR 584-020-0010(5) (Use professional judgment).

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The Commission adopts and incorporates herein the above finding of facts, 2 3 conclusions of law, and based thereon, imposes a Public Reprimand upon the licensure of Heidi Kellar. This order shall serve as the Public Reprimand, and shall be effective on 4 5 the date of this order. Issued and dated this // day of May, 2010. 6 7 TEACHER STANDARDS AND PRACTICES COMMISSION 8 STATE OF OREGON 9 10 Victoria Chamberlain, Executive Director 11 APPROVED AS TO FORM 12 13 14 15 Ralph Wiser, OSB# 81423 16 Attorney for Heidi Kellar

ORDER

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