1	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
2	OF THE STATE OF OREGON
3 4 5 6 7	In the Matter of the) STIPULATION OF FACTS AND Teaching License of) FINAL ORDER OF REPRIMAND STEFANY ANN MAGERA)
7	On or about March 19, 2010, the Teacher Standards and Practices Commission
8	(Commission) received a report from a patron of the La Grande School District
9	indicating that Stefany Ann Magera (Magera), embarrassed and humiliated her
10	daughter.
11	After review of the matters alleged, Magera and the Commission agree that their
12	respective interests, together with the public interest, are best served by a stipulation to
13	certain facts and the imposition of a Public Reprimand on Magera's Basic Teaching
14	License.
15	By signing below, Magera acknowledges, understands, stipulates, and agrees to
16	the following: (i) she has been fully advised of her rights to notice and a hearing to
17	contest the findings of fact, conclusions of law, and order set forth below, and fully and
18	finally waives all such rights and any rights to appeal or otherwise challenge this
19	Stipulation of Facts and Final Order of Reprimand (Stipulation and Final Order); (ii) this
20	Stipulation and Final Order is a public document and disclosed to the public upon
21	request to the Commission; (iii) this Stipulation and Final Order is contingent upon and
22	subject to approval and adoption by the Commission. If the Commission does not
23	approve and adopt this Stipulation and Final Order, then neither Magera nor the
24	Commission are bound by the terms herein; (iv) she has fully read this Stipulation and
25	Final Order, and understands it completely; (v) she voluntarily, without any force or
26	duress, enters into this Stipulation and Final Order and consents to issuance and entry of
27	the Stipulated Final Order below; (vi) she states that no promise or representation has
28	been made to induce her to sign this Stipulation and Final Order; and (vii) she has

1 consulted with an attorney regarding this Stipulation and Final Order and has been fully 2 advised with regard to her rights thereto, or waives any and all rights to consult with an 3 attorney prior to entering into this Stipulation and Final Order and issuance and entry of 4 the Stipulated Final Order below. 5 STIPULATION OF FACTS 6 1. Stefany Ann Magera has been licensed as a teacher in Oregon since May 27, 1997. 7 Magera's current Basic Teaching License, with endorsements in Basic Elementary, 8 Basic ESOL, and Basic Handicapped Learner, issued on May 22, 2008, expired on 9 May 21, 2011. During all relevant times, Magera was employed by the La Grande 10 School District. No application for renewal was received prior to expiration of the 11 license. 12 2. On May 20, 2009, while employed at La Grande High School, Magera asked a 13 colleague to obtain a student's cell phone. Magera wanted to check the phone 14 because she believed the student was inappropriately saving information about 15 Magera and Magera's family on her phone. This incident led to Magera receiving a 16 Letter of Directive from the district on August 28, 2009. 17 3. On September 18, 2009, Magera was issued a Letter of Reprimand by her school 18 district. The letter was issued after an allegation was made that, on September 17, 19 2008, Magera made comments to a student suggesting that she should not express 20 her concerns to her parents or the principal. On or about September 14, 2009, 21 Magera informed the District that she could no longer work with the student due to 22 psychological and mental health stress issues for which Magera was seeing a 23 therapist. Magera, through her union, asserted that the District was not entitled to 24 information from the therapist. There was no confirmation from Magera's therapist 25 that the issues for which she was being seen included such requirements. 26 111 27 /// 28 111 29 111 30 111 31 /// 32 111

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1 4. The school district had suggested that Magera not be alone with the student. Later, 2 on September 30, 2009, in spite of all the issues with this student, it was alleged that 3 Magera attempted to arrange for a private communication with the female student. 4 It was also reported that Magera was overheard asking the student what secrets she 5 had. When confronted about this incident Magera denied such a conversation. 6 Magera was then directed not to be alone with the student. Despite this directive, it 7 was reported that Magera had contact with the student in a classroom, away from 8 other staff and students who were in the room. Magera denied intentionally 9 contacting the student. 10 IT IS SO STIPULATED: 11 1.14.2011 Date 4-27-11 12 13 14 15 16 ictoria Chamberlain, Executive Director 17 **Teacher Standards and Practices Commission** 18 **CONCLUSION OF LAW** 19 Stefany Ann Magera's conduct as described in #2 above constitutes gross neglect of duty 20 in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-21 0010(5) (Use professional judgment), OAR 584-020-0030(2)(a) (Skill in communicating with 22 administrators, students, staff, parents, and other patrons); and OAR 584-020-0040(4)(0) as 23 it incorporates OAR 584-020-0035(3)(a) (Maintain the dignity of the profession by respecting 24 and obeying the law, exemplifying personal integrity and honesty). 25 Magera's conduct as described in #3 above constitutes gross neglect of duty in violation 26 of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0040(4)(n) 27 OAR 584-020-0010(5) (Use professional judgment); OAR 584-020-0040(4)(0) as it 28 incorporates OAR 584-020-0035(3)(a) (Maintain the dignity of the profession by respecting 29 and obeying the law, exemplifying personal integrity and honesty), and OAR 584-020-30 0040(4)(c) (Knowing falsification of any document or knowing misrepresentation directly 31 related to licensure, employment, or professional duties).

l	Magera's conduct as described in #4 above constitutes gross neglect of duty in violation
2	of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (Us
3	professional judgment), OAR 584-020-0025(2)(e) (Using district lawful and reasonable rules
4	and regulations); OAR 584-020-0040(4)(0) as it incorporates OAR 584-020-0035(1)(c)(D)
5	(Honoring appropriate adult boundaries with students in conduct and conversations at all
6	times).
7	ORDER
8	The Commission adopts and incorporates herein the above findings of fact and
9	conclusions of law, and based thereon, imposes a Public Reprimand on Stefany Ann
10	Magera's Basic Teaching License.
11	Issued and dated this 27 day of July, 2011.
12 13	TEACHER STANDARDS AND PRACTICES COMMISSION STATE OF OREGON
14 15 16	By Julian Kamberlain, Executive Director