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 SUSPENSION OF LICENSE)
7	On or about September 30, 2011, the Teacher Standards and Practices
8	Commission (Commission) notified the Tigard-Tualatin School District that Melinda
9	Danielle Yarnell (Yarnell) may have had an unauthorized conditional assignment or an
10	incident of teaching without a valid license.
11	After review of the matters alleged, Yarnell 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 30 day suspension of Yarnell's Basic Teaching
14	License.
15	By signing below, Yarnell 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 Suspension of License (Stipulation and Final
20	Order); (ii) this Stipulation and Final Order is a public document and disclosed to the
21	public upon request to the Commission; (iii) this Stipulation and Final Order is
22	contingent upon and subject to approval and adoption by the Commission. If the
23	Commission does not approve and adopt this Stipulation and Final Order, then neither
24	Yarnell nor the Commission are bound by the terms herein; (iv) she has fully read this
25	Stipulation and Final Order, and understands it completely; (v) she voluntarily, without
26	any force or duress, enters into this Stipulation and Final Order and consents to issuance
27	and entry of the Stipulated Final Order below; (vi) she states that no promise or
28	representation has been made to induce her to sign this Stipulation and Final Order; and

1 (vii) she has consulted with an attorney regarding this Stipulation and Final Order and 2 has been fully advised with regard to her rights thereto, or waives any and all rights to 3 consult with an attorney prior to entering into this Stipulation and Final Order and 4 issuance and entry of the Stipulated Final Order below. 5 STIPULATION OF FACTS 6 1. The Commission has licensed Yarnell as a teacher in Oregon since September 20, 7 1990. Yarnell's current Basic Teaching License, with an endorsement in Basic 8 Elementary (PreK-Grade 9), Basic Physical Education (PreK-Grade 9), and Basic 9 Health Education (PreK-Grade 9), issued on August 29, 2010, is valid until August 10 28, 2013. During all relevant times, Yarnell was employed by the Tigard-Tualatin 11 School District. 12 2. On or about April 15, 2008, Yarnell's School District assigned Yarnell to teach full-13 time Activities and Health at Tigard High School. The District indicated that Yarnell 14 would need to work with Melissa Griffith in Human Resources to obtain a 15 Conditional Assignment Permit for the new assignment. 16 3. Neither the School District nor Yarnell applied to TSPC for a Conditional Assignment 17 Permit for Yarnell's new assignment. 18 4. On or about August 12, 2010, TSPC received Yarnell's application to renew her Basic 19 Teaching License. Along with the application, TSPC received a Professional 20 Education Experience Report (PEER Form), indicating that Yarnell taught 21 "Activities/Health" in grades 9-12 from August 2008 through the end of the 2019-22 2010 school year. Yarnell's Basic Teaching license, however, was only valid for 23 service in Pre-Kindergarten-through grade 9. 24 5. Yarnell served without a valid license for the period August, 2008 through the end of 25 the 2009-2010 school year. 26 IT IS SO STIPULATED:

27 Melinda Danielle Yarnell
28 Melinda Danielle Yarnell
29 Date
30 Victoria Chamberlain, Executive Director
32 Teacher Standards and Practices Commission

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- 1	CONCLUSION OF LAW
2	Yarnell taught "Activities/Health" in grades 9-12 from August 2008 through the end of
3	the 2019-2010 school year without a valid License. This conduct constitutes gross neglect of
4	duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-
5	020-0010(5) (Use professional judgment), OAR 584-020-0040(4)(0) as it incorporates OAR
6	584-020-0035(2)(a)(Apply for, accept, offer, or assign a position of responsibility only on on
7	the basis of professional qualifications, and will adhere to the conditions of a contract or the
8	terms of the appointment) and OAR 584-020-0040(4)(r) (knowingly working without a
9	license).
10	ORDER
11	The Commission adopts and incorporates herein the above findings of fact and
12	conclusions of law, and based thereon, imposes a 30 day suspension of Melinda Danielle
13	Yarnell's Basic Teacher License.
14	Issued and dated this 5 day of November, 2012.
15 16	TEACHER STANDARDS AND PRACTICES COMMISSION STATE OF OREGON
17 18 19	By Julia Mambulaun Victoria Chamberlain, Executive Director