1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
4 5 6 7	In the Matter of the) DEFAULT ORDER OF Teaching License of) REVOCATION OF TEACHING MARY LOU QUINN) LICENSE
8	On April 5, 2012, the Teacher Standards and Practices Commission (Commission) issued a
9	Notice of Opportunity for Hearing to Mary Lou Quinn (Quinn) in which the Commission charged her
10	with Gross Neglect of Duty. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail
11	Receipt 7010 2780 0000 2187 4214 to the address on file with the Commission. The Notice designated
12	the Commission file as the record for purposes of proving a prima facie case. The Certified Mail was
13	signed for on April 13, 2012. The regular mail was not returned to the Commission. The Notice of
14	Opportunity of Hearing, dated April 5, 2012, and signed by Victoria Chamberlain, Executive Director,
15	stated:
16 17 18 19 20 21	"IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF YOU FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."
23	Quinn did not request a hearing. The Commission, therefore, finds Quinn to be in default and enters the
24	following findings of fact, conclusions of law and order, based on the files and records of the Commission
25	concerning this matter.
26	FINDINGS OF FACT
27	1. Quinn has been licensed as a teacher in Oregon since April 5, 2000. She currently holds an Initial II
28	Teaching License issued April 5, 2010, with endorsements in Art (ML/HS, ECE/ELE L) and Physical
29	Education (ML/HS, ECE/ELE L); which expires on April 4, 2013. During all relevant times, Quinn
30	was employed by the Lincoln County School District.
31	2. On September 8, 2009, as a form of discipline, Quinn locked an 8 th grade student in an equipment
32	closet. Students in the class reported concern over this behavior and protested Quinn's actions. The
33	student was left locked in the closet for approximately 15 minutes. Quinn received a written
34	reprimand from the school district for this conduct.
35	3. In October of 2009 the district became aware that Quinn was screaming and arguing with students in
36	her 5 th grade Physical Education class, leading to the following:
37	a. Quinn called the parent of one of the students at work on October 5, 2009, and made
38	unprofessional comments with regard to their student. Quinn told the parent that the student was
39	disruptive: that she wasn't calling any other parents, and that she was surprised that the student

gave her the correct phone number to call. The student had complained of wrist pain and stopped playing, and Quinn responded that she didn't care and that the student should continue.

- b. On October 7, 2009, another parent called to complain that Quinn did not allow students to get a drink of water during class. Quinn hung up on the parent during this call. The parent subsequently requested a meeting with Quinn. Quinn responded that she would not meet with the parent because she did not have a union representative. Quinn's principal commented that it was unheard of to have a union representative at a parent meeting. Quinn's response was, "Well, I am going to...I don't think I'll be able to find a rep anyway, so I won't be coming to the meeting."
- c. On October 8, 2009, Quinn's Principal requested that Quinn meet with the former Physical Education teacher to learn his policies and procedures to ease the transition. Quinn's Principal arranged a time on staff development day with the former PE teacher, Mike Moser, and Moser's principal, Von Taylor to provide Quinn this assistance. Quinn refused to attend the meeting citing the inability to obtain union representation even though the meeting was not disciplinary in nature and did not include Quinn's administrators.
- d. On October 16, 2009, Quinn locked the same student, who was the subject of the September 8, 2009, incident, out of the gym in an outside area. During this incident, Quinn used words like "shut up" towards students and left the student unsupervised outside of the building. Quinn received another letter of reprimand for this behavior.
- e. October 23, 2009, Quinn secluded students from one of her Physical Education classes in the cafeteria, unsupervised, during class. Quinn's letter of reprimand from September 25, 2009 specifically instructed Quinn that misbehaving students should be sent to the office not left unattended.
- 4. Between November 2009 and February 2010, Quinn was provided assistance by her principal to deal with classroom management and student behavior. During classroom observations, Quinn left students unattended and allowed students to engage in unsafe behavior during class. Quinn's conduct failed to meet the requirements of the student management plan that was developed to assist her. Quinn was disrespectful to her principal when he tried to follow up on the observations with her. In March of 2010, Quinn was provided with notice of the district intent to dismiss her from employment. Quinn resigned prior to dismissal.

30 CONCLUSIONS OF LAW

Mary Lou Quinn's conduct described in sections #2 and #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(1) (Recognize the worth and dignity of all persons and respect for each individual), OAR 584-020-

1	0010(5) (<i>Use professional judgment</i>), OAR 584-020-0010(6) (Promote equitable learning opportunities),
2	OAR 584-020-0020(2)(e) (Skill in the supervision of students), OAR 584-020-0025(2)(a) (Establishing
3	and maintaining classroom management that is conducive to learning), OAR 584-020-0025(2)(e) (Using
4	district lawful and reasonable rules and regulations), OAR 584-020-0030(2)(a) (Willingness to be
5	flexible in cooperatively working with others), OAR 584-020-030(2)(b) (Skill in communicating with
6	administrators, students, staff, parents, and other patrons).
7	Mary Lou Quinn's conduct described in section #4 above, constitutes gross neglect of duty in
8	violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(1)
9	(Recognize the worth and dignity of all persons and respect for each individual), OAR 584-020-0010(5)
10	(Use professional judgment), OAR 584-020-0010(6) (Promote equitable learning opportunities), OAR
11	584-020-0020(2)(e) (Skill in the supervision of students), OAR 584-020-0025(2)(a) (Establishing and
12	maintaining classroom management that is conducive to learning), OAR 584-020-0025(2)(e) (Using
13	district lawful and reasonable rules and regulations).
14	The Commission's authority to impose discipline in this matter is based upon ORS 342.175.
15	FINAL ORDER
16	The Commission hereby revokes the licensure of Mary Lou Quinn from the effective date of this
17	order.
18	IT IS SO ORDERED THIS day of September, 2012.
19	TEACHER STANDARDS AND PRACTICES COMMISSION
20 21	
22	By: Victoria Chamberlain, Executive Director
22 23	By: Victoria Chamberlain, Executive Director
22 23 24 25 26 27 28 29	
26	NOTICE OF A DELAY OF PROVING
21 28	NOTICE OF APPEAL OR RIGHTS
29 30 31 32	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.

CERTIFICATE OF MAILING

I hereby certify that I served the foregoing notice of final order, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

Mary Lou Quinn 2620 SW Brant St Newport, OR 97365

Dated this _______day of September, 2012.

Patty Liddell

Investigative Assistant