## 1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON 3 In the Matter of the STIPULATION OF FACTS AND 4 5 6 Charter School Registration of ) FINAL ORDER OF SUSPENSION NANCY ANN HINDERKS OF RIGHT TO APPLY 7 On or about June 10, 2008, the Teacher Standards and Practices Commission 8 (Commission) received a report from the North Santiam School District indicating 9 possible inappropriate conduct by Nancy Ann Hinderks (Hinderks) during the 10 administration of a statewide test. 11 After review of the matters alleged, Hinderks and the Commission agree that 12 their respective interests, together with the public interest, are best served by a 13 stipulation to certain facts and the imposition of a six month suspension. 14 By signing below, Hinderks acknowledges, understands, stipulates, and agrees to 15 the following: (i) she has been fully advised of her rights to notice and a hearing to 16 contest the findings of fact, conclusions of law, and order set forth below, and fully and 17 finally waives all such rights and any rights to appeal or otherwise challenge this 18 Stipulation of Facts and Final Order of Suspension (Stipulation and Final Order); (ii) this 19 Stipulation and Final Order is a public document and disclosed to the public upon 20 request by the Commission; (iii) this Stipulation and Final Order is contingent upon and 21 subject to approval and adoption by the Commission. If the Commission does not 22 approve and adopt this Stipulation and Final Order, then neither Hinderks nor the 23 Commission are bound by the terms herein; (iv) she has fully read this Stipulation and 24 Final Order, and understands it completely; (v) she voluntarily, without any force or 25 duress, enters into this Stipulation and Final Order and consents to issuance and entry of 26 the Stipulated Final Order below; (vi) she states that no promise or representation has 27 been made to induce her to sign this Stipulation and Final Order; and (vii) she has 28 consulted with an attorney regarding this Stipulation and Final Order and has been fully 29 advised with regard to her rights thereto, or waives any and all rights to consult with an 30 attorney prior to entering into this Stipulation and Final Order and issuance and entry of 31 the Stipulated Final Order below. 32 /// 33 /// 34 111 35 ///

## 1 STIPULATION OF FACTS 2 1. The Commission has licensed Nancy Ann Hinderks since July 5, 1989. Hinderks' 3 current Basic Teaching License with an endorsement in basic elementary 4 education, issued on December 7, 2008, expired on December 6, 2011. During all 5 relevant times Hinderks worked as a teacher with North Santiam School District. 6 2. On May 9, 2008, Hinderks administered the Oregon Assessment of Knowledge 7 and Skills (OAKS) test in her classroom. During the administering of this exam 8 Hinderks allowed students to access non-allowable materials. Hinderks had 9 signed the Assurance of Test Security form prior to administering the test. 3. At the time Hinderks administered this OAKS test she was on a plan of assistance 10 11 with the district and her student's tests scores were an issue related to her 12 effectiveness as a teacher. Hinderks denies this was a factor in her choice of 13 materials she allowed students to use during the test in question. /// 14 15 IT IS SO STIPULATED: 16 10-1-12 Date 9-14-12 17 18 19 20 21 Victoria Chamberlain, Executive Director 22 **Teacher Standards and Practices Commission** 23 111 24 **CONCLUSION OF LAW** 25 Nancy Ann Hinderks provided impermissible (Materials) assistance to students 26 during the administration of the OAKS test. This constitutes gross neglect of duty in 27 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-28 020-0010(5) (Use professional judgment), OAR 584-020-0010(2)(Encourage 29 scholarship), and OAR 584-020-0015(2)(a)(Use of state and district adopted 30 curriculum and goals). 31 The Commission's authority to impose discipline in this matter is based upon 32 ORS 342.175.

1	ORDER
2	Based on the foregoing, the Commission hereby orders as follows:
3	Nancy Ann Hinderks' Right to Apply for her Basic Teaching License is hereby
4	suspended for six months.
5	Issued and dated this 5th day of November, 2012.
6 7	TEACHER STANDARDS AND PRACTICES COMMISSION STATE OF QREGON
8	By Tulous Chamberlain
9	By William Market Care
10	Victoria Chamberlain, Executive Director