



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.  
10 3. At the time Hinderks administered this OAKS test she was on a plan of assistance  
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 <u>Nancy Ann Hinderks</u>	<u>10-1-12</u>
17 Nancy Ann Hinderks	Date
18 <u>Victoria Chamberlain</u>	<u>9-14-12</u>
19 Victoria Chamberlain, Executive Director	Date
20 Teacher Standards and Practices Commission	

23 ///

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  
2  
3  
4  
5  
6  
7  
8  
9  
10

**ORDER**

Based on the foregoing, the Commission hereby orders as follows:

Nancy Ann Hinderks' Right to Apply for her Basic Teaching License is hereby suspended for six months.

Issued and dated this 5<sup>th</sup> day of November, 2012.

**TEACHER STANDARDS AND PRACTICES COMMISSION  
STATE OF OREGON**

By *Victoria Chamberlain*  
Victoria Chamberlain, Executive Director