



1 Arts (HS) and Special Education (ML/HS), was issued on December 3, 2009, and  
2 expired on December 2, 2012. McLean did not make application for renewal. During all  
3 relevant times, McLean was employed by the Myrtle Point School District.  
4

5 2. On March 10, 2011, two of McLean's teaching assistants reported to the school Principal  
6 that McLean was demonstrating unethical behaviors in the classroom. An investigation  
7 was conducted and determined that McLean provided students with answers to tests,  
8 inappropriately allowed students to take tests in groups, and on several occasions,  
9 McLean improperly helped students draft essays and/or wrote portions of the student's  
10 essay or report herself. On one occasion, McLean directed one of her teaching assistants  
11 to write an essay/report for a student, which the assistant refused to do. During an  
12 interview with a TSPC investigator, McLean stated, "*I can't deny it, I did help my kids on*  
13 *their test and I regret doing that. I had to help them because they lacked motivation;*  
14 *they would have preferred to drop out than learn. I did, I gave them the answers. I*  
15 *acted on emotions then rationalization*".

16  
17 3. On September 13, 2013, a contested case hearing on the matter was convened. Ms.  
18 McLean failed to appear. She received notice of the hearing from the Office of  
19 Administrative Hearings, and from the Department of Justice when exhibits were  
20 submitted.

### 21 CONCLUSIONS OF LAW

22 McLean's conduct described in section two (2) constitutes gross neglect of duty in  
23 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-  
24 0010(5) (*Use professional judgment*), OAR 584-020-0015(2)(e) (*Skill in the selection and*  
25 *use of teaching techniques conducive to student learning*), OAR 584-020-0025(2)(e)  
26 (*Using district lawful and reasonable rules and regulations*); and OAR 584-020-  
27 0040(4)(o) as it incorporates OAR 584-020-0035(3)(a) (*Maintain the dignity of the*  
28 *profession by respecting and obeying the law, exemplifying personal integrity and*  
29 *honesty*).

30  
31 The Commission's authority to impose discipline in this matter is based upon ORS 342.175.

1 **FINAL ORDER**

2 The Commission hereby revokes Nellie Hristova McLean's Right to Apply for an  
3 Educator license.

4 IT IS SO ORDERED THIS 19<sup>th</sup> day of September, 2013.

5 TEACHER STANDARDS AND PRACTICES COMMISSION



6 By: \_\_\_\_\_  
7 Victoria Chamberlain, Executive Director

8 **NOTICE OF APPEAL OR RIGHTS**

9  
10  
11 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW  
12 MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM  
13 THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE  
14 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:

Nellie McLean  
2769 Elk Lane  
Grants Pass, OR 97527-9114

Dated this 19<sup>th</sup> day of September, 2013.

By: *Patty Liddell*  
Patty Liddell  
Investigative Assistant



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4 IT IS SO ORDERED THIS 19<sup>th</sup> day of September, 2013.

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