

1 numbered eight and nine in her application. Kociemba submitted court documents and a
2 written explanation for her "Yes" answers as required.

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- 4 2. In Kociemba's written explanation, Kociemba described the event as a onetime mistake
5 where she succumbed to pressure of two Macy's customers. Kociemba indicated that as
6 an employee of Macy's, she had agreed to fraudulently scan a \$10 off discount coupon for
7 these two customers who had been repeatedly requesting that Kociemba do so over a
8 period of time. Kociemba also indicated that she finally agreed to scan the coupon for
9 them because of Macy's policy that "The customer is always right". Kociemba's written
10 explanation clearly portrays the incident as a onetime event. The court documents
11 Kociemba provided included mention of restitution to Macy's in the amount of
12 \$3,730.12; a figure that did not appear to coincide with Kociemba's written explanation.
13 Police reports were acquired and investigators determined that Kociemba had scanned
14 the mentioned coupon in a matter of approximately 213 separate transactions over
15 multiple dates, sometimes scanning the coupon multiple times and manually overriding
16 the register. The documents also indicated that Kociemba admitted to under-ringing
17 merchandise and giving the two customers items for free on occasion. Kociemba's
18 written explanation does not match the true account of the incident in question, making
19 this part of Kociemba's application a falsification and misrepresentation of the facts.

20 **CONCLUSIONS OF LAW**

21 Kociemba's conduct described above constitutes gross neglect of duty in violation of
22 ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5)
23 (*Use professional judgment*); and OAR 584-020-0040(4)(c) (*Knowing falsification of any*
24 *document or knowing misrepresentation directly related to licensure, employment, or*
25 *professional duties*).

26

27 The Commission's authority to impose discipline in this matter is based upon ORS
28 342.175.

1 **FINAL ORDER**

2 The Commission hereby revokes Helen Jean Kociemba's Right to Apply for an
3 Educator License.

4 IT IS SO ORDERED THIS 11th day of February, 2014.

5 TEACHER STANDARDS AND PRACTICES COMMISSION



6 By: _____
7 Victoria Chamberlain, Executive Director
8

9 **NOTICE OF APPEAL OR RIGHTS**

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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:

Helen Jean Kociemba
9600 SW North Dakota St
Portland, OR 97223-6534

Dated this 11th day of February, 2014.

By: *Patty Liddell*
Patty Liddell
Investigative Assistant