

1 3. Edwards held a Basic Teaching License with endorsements in Elementary Education
2 and Reading until January 3, 1998, when the license expired.

3 4. In April 1998, Edwards was granted an Emergency Basic Teaching License, and she
4 was permitted to teach full-time as a counselor in the Oregon Trail School District under a
5 misassignment for the 1997-98 school year. Her Emergency Basic Teaching License expired on
6 April 16, 1999.

7 5. In October 1998, Edwards and the Oregon Trail School District applied for Edwards
8 to receive an Emergency Personnel Service License. The Commission allowed Edwards to
9 continue her position with the district under the misassignment while her application was
10 pending. On February 4, 1999, the Commission denied the application for an Emergency
11 Personnel Service License. Ms. Edwards resigned her position with the district effective
12 April 16, 1999.

13 6. As a school employee, Ms. Edwards has a legal duty under ORS 419B.010 to report
14 suspected child abuse to the State Office for Services to Children and Families (SCF) or to a law
15 enforcement agency.

16 7. On or about April 1, 1998, Edwards was visited by a middle school student who
17 complained of a number of personal problems and conflicts within her family, including
18 mistreatment by her older, teenaged brother. Among the problems disclosed was a complaint
19 that the brother was "messing with her." Edwards contends that she was not sure what the
20 student meant by this term. However, the student asked Edwards to make her an appointment
21 with a gynecologist and a psychiatrist.

22 8. After the meeting, Edwards consulted her supervisor, the building principal. Edwards
23 and the principal decided that the matter should be acted upon by contacting the student's parent.

24 9. On April 1, 1998, Edwards met with the student's mother at approximately 2:30 p.m.
25 and disclosed that her daughter was very troubled and needed help. Edwards told the parent
26 about the various problems mentioned by the student, including the statement about the brother.

1 Edwards told the parent that if there was sexual abuse happening, Edwards would be required to
2 report it to SCF or to the police. Edwards told the parent that the parent could call SCF or the
3 CARES unit of Emmanuel Hospital (a child abuse assessment and treatment center) to have them
4 evaluate any abuse and to provide other assistance to the family. Edwards gave the parent the
5 phone numbers for SCF and for the CARES unit.

6 10. At approximately 4:30 p.m. on April 1, 1998, the father called the CARES unit and
7 an interview was arranged. CARES staff also notified the Clackamas County Sheriffs' Office
8 regarding the situation the following day. The Sheriff's office had the complaint within 24 hours
9 of it being reported to Edwards.

10 11. At approximately 10:50 a.m. on April 2, 1998, Edwards received a telephone call
11 from a detective in the Clackamas County Sheriffs' Office. Edwards had available and gave the
12 detective the details of the situation, including information on contacting the parents and student
13 involved.

14 12. Edwards was listed on the CARES intake report as having caused the abuse to be
15 reported. However, CARES rather than Edwards initiated the call to the Clackamas County
16 Sheriffs' Office. Edwards did not report the abuse herself on April 1, 1998. The Sheriffs' office
17 was concerned that the parent had been told about the complaint rather than the counselor
18 reporting directly to the police.

19 13. On or about August 25, 1998, the superintendent of the Oregon Trail School District
20 notified the Commission that Edwards was under investigation by the Clackamas County District
21 Attorney's office for failure to report child abuse.

22 14. Edwards was charged with Failure to Report Child Abuse and Official Misconduct in
23 Clackamas County District Court. On or about January 15, 1999, Edwards was found not guilty
24 after a jury trial of official misconduct. However, the court found that Edwards was guilty of a
25 violation of ORS 419B.010, the child abuse reporting law. This was a civil statutory violation,
26 not a criminal conviction.

1 15. Edwards has been completing the educational and experience requirements to
2 reinstate her Basic License and to obtain an initial Personnel Services License.

3 16. Edwards has not been involved in any other alleged failure to report either before or
4 after the April 1 incident. The Commission has received no other complaints concerning
5 Edwards.

6 17. Edwards enters into this Stipulation of Facts with knowledge that the Commission
7 will adopt an order as set out below. The Stipulation is contingent upon the approval and
8 adoption of the Order by the Commission. If the Commission does not adopt the order, neither
9 Edwards nor the Commission are bound by these stipulations and Edwards retains all rights to a
10 hearing on the allegations.

11
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13 Mary Ellen Edwards
Mary Ellen Edwards

May 1, 1999
Date

14
15 David V. Myton
16 David V. Myton, Executive Director
Teacher Standards & Practices Commission

5/28/99 DM
Date

1 In this case, Edwards appears to be an experienced teacher who felt that she was doing
2 the right thing by contacting an interested parent. Edwards may have had the support of her
3 principal in handling the case in this manner based upon the evidence before her at the time.

4 However, Edwards' handling of the situation resulted in criminal charges against her.
5 Although she was cleared of any criminal conduct, the court found Edwards guilty of failure to
6 follow the child abuse reporting laws. That violation reflects that the court determined that
7 Edwards did not have the legal discretion to handle the case as she did.

8 In ordering a public reprimand as a sanction, the Commission considers the fact that
9 Edwards already suffered loss of her position with the school district following her conviction.

10 The Commission concludes that Edwards is unlikely to repeat the conduct which resulted
11 in the violation. She should be aware, however, that any repeat misconduct by her may result in
12 loss of licensure.

13 **ORDER**

14 The Commission imposes a public reprimand to Mary Ellen Edwards, and this Order
15 shall serve as the reprimand. This Order shall not be an impediment to Ms. Edwards receiving a
16 Personnel Service or other Teaching License to which she is otherwise eligible.

17 DATED this 20th day of May 1999.

18 TEACHER STANDARDS AND PRACTICES COMMISSION

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21 By: David V. Myton, Executive Director
22 Teacher Standards and Practices Commission
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