

BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
OF THE STATE OF OREGON

In the Matter of the)
Teaching License of)
SHELLEY ANN SHEPARD)

On June 8, 2010, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Shelley Ann Shepard (Shepard) in which the Commission charged her with Gross Neglect of Duty pursuant to OAR 584-020-0010(1), OAR 584-020-0010(5), OAR 584-020-0025(2)(e), OAR 584-020-0035(1)(c)(A), OAR 584-020-0035(1)(c)(C), OAR 584-020-0035(1)(c)(D), OAR 584-020-0040(4)(a) and OAR 584-020-0040(4)(b). The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7009 1410 0002 1902 5412 to the address on file with the Commission. The U.S. Postal Service returned the certified mail to the Commission on July 6, 2010 as unclaimed. The first class mail was not returned to the Commission, however, indicating that the address on file with the Commission was correct. The Notice of Opportunity of Hearing, dated June 8, 2010, and signed by Victoria Chamberlain, Executive Director, stated:

“If a request for hearing is not received within this 21 day period, your right to a hearing shall be considered waived unless your failure to request a hearing was beyond your reasonable control. If you do not request a hearing or if you fail to appear at a hearing, the Commission will adopt an order of default which may include the revocation or suspension of your license or other discipline.”

Ms. Shepard did not request a hearing. The Commission, therefore, finds Ms. Shepard to be in default and enters the following findings of fact, conclusions of law and order, based on the files and records of the Commission concerning this matter.

FINDINGS OF FACT

1. Shepard has been licensed as a teacher in Oregon since August 26, 2005. Her current Initial I Teaching License, issued on August 26, 2005, expired on August 13, 2009. During all relevant times, Shepard was employed by the Salem-Keizer School District.
2. While employed at Auburn Elementary School, Shepard maintained a relationship with a male student at North Salem High School. Shepard discussed sexual topics with the student. Shepard allowed the student to use her personal vehicle. Shepard allowed

1 this student to spend time at her home, including allowing the student to stay at her
2 home on weekends when she was not present, and met the student there when he
3 expressed the desire to have a romantic interest. Shepard also expressed to staff that
4 she believed the male student had romantic feelings for her. On one occasion Shepard
5 displayed to staff members where the same male student had labeled parts of her body
6 with ink, after Shepard fell asleep at her home with the male student present. Shepard
7 also showed staff members text messages from this student containing sexual
8 language, such as "suck dick".

- 9 3. While teaching at Auburn Middle School, you left the student teacher, Ashli Smith, in
10 your classroom without supervision. At times you directed the same student teacher to
11 use your personal vehicle to run errands for you.
- 12 4. While teaching at Auburn Middle School, Shepard created a sexually hostile work
13 environment for the student teacher under her direction, by exposing her to sexually
14 charged conversations, showing her text messages from a male high school student
15 with sexual language, and giving a gift of a sex toy to her.
- 16 5. While teaching at Auburn Middle School, Shepard conducted her private business,
17 Maximum Velocity All Stars, a cheerleading gym, during school time. Specifically
18 Shepard used school district computers and her school district email address to conduct
19 private business. Shepard also used the names of Salem-Keizer school in furtherance
20 of her business without permission.

21 CONCLUSIONS OF LAW

22 Shelley Ann Shepard's relationship with a male student as described above
23 constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-
24 0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*), OAR
25 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(1)(c)(A) (*Not demonstrating*
26 *or expressing professionally inappropriate interest in a student's personal life*), (C)
27 (*Reporting to the educator's supervisor if the educator has reason to believe a student is*
28 *or may be becoming romantically attached to the educator*), and (D) (*Honoring*
29 *appropriate adult boundaries with students in conduct and conversations at all times*)
30 Shepard's conduct toward the student teacher under her direction constitutes gross
31 neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it

1 incorporates OAR 584-020-0010(1) (*Recognize the worth and dignity of all persons and*
2 *respect for each individual*) and OAR 584-020-0010(5) (*Use professional judgment*).
3 Shepard conducted a private business during school time and using District materials
4 and district names without permission. This conduct constitutes gross neglect of duty in
5 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-
6 020-0010(5) (*Use professional judgment*), and OAR 584-020-0040(4)(a) (*Knowing and*
7 *substantial unauthorized use of: school name or financial credit; school materials or*
8 *equipment for personal purposes; or school personnel to provide personal services*
9 *unrelated to school business*) and OAR 584-020-0040(4)(b) (*Knowing and substantial*
10 *unauthorized use of employment time or school resources for private purposes*). The
11 Commission's authority to impose discipline in this matter is based upon ORS 342.175.

12 **FINAL ORDER**

13 The Commission hereby revokes Shelley Ann Shepard's right to apply for
14 an educator license.

15 IT IS SO ORDERED THIS 9th day of August, 2010.

16 TEACHER STANDARDS AND PRACTICES COMMISSION

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18
19 By: 
20 Victoria Chamberlain, Executive Director
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24 **NOTICE OF APPEAL OR RIGHTS**

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26 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
27 BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE
28 SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS
29 OF ORS 183.482 TO THE OREGON COURT OF APPEALS.
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