

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
2 OF THE STATE OF OREGON
3

4 In the Matter of the Educator) DEFAULT ORDER OF
5 License of) REVOCATION
6 CAROL M. MAY)
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9 On January 29, 2021, the Teacher Standards and Practices Commission
10 (Commission) issued a Notice of Opportunity for Hearing to Carol M. May (May) in which
11 the Commission charged her with Gross Neglect of Duty. The Notice was sent via U.S. First
12 Class Mail and U.S. Certified Mail Receipt 7019 2970 0000 4903 8539 to the address on file
13 with the Commission. The Notice designated the Commission file as the record for purposes
14 of proving a prima facie case. The Certified Mail receipt was signed for and received by May
15 on February 4, 2021, and the USPS receipt was returned to the Commission. The first-class
16 mail was not returned to the Commission and assumed delivered. The Notice of
17 Opportunity of Hearing, dated January 29, 2021, and signed by Anthony Rosilez, Executive
18 Director, stated:

19 “IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY
20 PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED
21 UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR
22 REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING, WITHDRAW
23 YOUR REQUEST FOR HEARING, IF YOU FAIL TO APPEAR AT A HEARING, OR
24 NOTIFY THE COMMISSION THAT YOU WILL NOT APPEAR AT HEARING, THE
25 COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE
26 THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER
27 DISCIPLINE.”
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29 May did not request a hearing. The Commission, therefore, finds May to be in default and
30 enters the following findings of fact, conclusions of law, and final order, based on the files
31 and records of the Commission concerning this matter.
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33 **FINDINGS OF FACT**
34

- 35 1. The Commission has licensed May since May 15, 1986. May holds a Professional
36 Teaching License, with endorsements in Elementary, Multiple Subjects (PK-12) and
37 Early Childhood Education (PK-12), valid from September 17, 2017, through
38 September 16, 2022. During all relevant times, May was employed by the Crow

1 Applegate Lorane School District (CALSD) as an elementary school teacher at
2 Applegate Elementary.

- 3
- 4 2. On November 26, 2019, the Commission received a School District Misconduct
5 report from the Superintendent of the CALSD indicating May had engaged in
6 unwanted physical contact with a student by encroaching on the student's personal
7 space and swatting a student's hand. Additionally, on December 1, 2019, the
8 Commission received a Public Complaint reporting that May had slapped a student's
9 hand and had been verbally abusive with students.
- 10
- 11 3. On November 18, 2019, the district completed their investigation into these
12 complaints, and concluded that May swatted a student's hand, made disparaging
13 remarks, and used inappropriate proximity, gestures, and language with students.
14 The CALSD interviewed May on November 13, 2019, regarding these allegations.
15 During the CALSD interview May admitted to swatting a student's hand, slapping
16 desks, and making a comment about breaking a student's neck. Additionally, May
17 admitted to getting close to students to reprimand them. May indicated that many of
18 the incidents and actions were taken out of context.
- 19
- 20 4. The district issued May a letter of reprimand on November 25, 2019. On December
21 2, 2019, May was reinstated to her teaching position. On December 16, 2019, the
22 CALSD School Board reviewed the matter and overturned the decision to reinstate
23 May and asked for additional investigation. Upon completion of a second
24 investigation, the district concluded that May created an atmosphere in the
25 classroom that made students apprehensive and uneasy. The district also noted that
26 May was given a reprimand for being insubordinate, and cited reports that students
27 witnessed May striking a student's hand with a ruler, yelling at a student over a
28 spelling error, and roughly grabbing and shoving students while redirecting them.
- 29
- 30 5. Based on this, May resigned her position with the CALSD on February 22, 2020. On
31 August 6, 2020, May spoke with Commission staff, who contacted her about
32 interviewing related to the TSPC investigation into this matter. May declined to be

1 interviewed and stated on a recorded line that she “no longer wished to teach.” May
2 informed the Commission that she was represented by an attorney but did not
3 provide the Commission details of who the attorney was. Commission staff
4 attempted to educate May about the consequences of not interviewing and May
5 again declined to interview. Commission investigative staff contacted the Oregon
6 Education Association (OEA) on August 17, 2020, and the general counsel confirmed
7 that OEA was not supporting/representing May.
8

9 CONCLUSIONS OF LAW

10 The conduct described in sections two (2), and three (3) above constitutes gross
11 neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it
12 incorporates OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-
13 0020(2)(d) (*Skill in the supervision of students*), OAR 584-020-0025(2)(e) (*Using district*
14 *lawful and reasonable rules and regulations*); 584-020-0040(4)(d)(*Unreasonable*
15 *physical force against students, fellow employees, or visitors to the school, except as*
16 *permitted under ORS 339.250*); and OAR 584-020-0040(4)(p) (*Subject to the exercise of*
17 *any legal right or privilege, failure or refusal by an educator under investigation to*
18 *respond to requests for information, to furnish documents or to participate in interviews*
19 *with a Commission representative relating to a Commission investigation*).
20

21 The Commission’s authority to impose discipline in this matter is based upon ORS
22 342.175.


23 FINAL ORDER

24 The Commission hereby issues a one (1) year revocation upon Carol May’s Oregon
25 educator license.

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28 IT IS SO ORDERED THIS 24th day of March, 2022.

29 TEACHER STANDARDS AND PRACTICES COMMISSION

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By: 
Dr. Anthony Rosilez, Executive Director

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NOTICE OF APPEAL OR RIGHTS

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