BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 1 2 OF THE STATE OF OREGON 3 STIPULATION OF FACTS AND In the Matter of the FINAL ORDER OF 4) Educator License of 5) PUBLIC REPRIMAND AND KELLY L. WERSCHKUL 6 PROBATION 7 8 On January 11, 2022, the Teacher Standards and Practices Commission 9 (Commission) received a misconduct report from the Portland Public School District 10 (PPS), alleging possible professional misconduct on the part of licensed educator, Kelly 11 12 L. Werschkul (Werschkul). 13 After review of the matters alleged, Werschkul and the Commission agree that 14 their respective interests, together with the public interest, are best served by a stipulation to certain facts and the imposition of a Public Reprimand and period of 15 16 Probation of Werschkul's teaching license. 17 This Order sets forth the facts upon which the parties have agreed and the 18 sanction to be imposed. Werschkul stipulates that there are sufficient facts contained in 19 the Commission's files and records to support the findings of fact and conclusions of law 20 set forth below. In entering into this stipulation, Werschkul waives the right to a hearing 21 to contest the findings of fact, conclusions of law and order set forth below. 22 By signing below, Werschkul acknowledges, understands, stipulates, and agrees 23 to the following: (i) she has been fully advised of her rights to notice and a hearing to 24 contest the findings of fact, conclusions of law, and order set forth below, and fully and 25 finally waives all such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Revocation (Stipulation and Final Order); (ii) this 26 27 Stipulation and Final Order is a public document and disclosed to the public upon 28 request by the Commission; (iii) this Stipulation and Final Order is contingent upon and subject to approval and adoption by the Commission. If the Commission does not 29 approve and adopt this Stipulation and Final Order, then neither Werschkul nor the 30 Commission are bound by the terms herein; (iv) she has fully read this Stipulation and 31 Final Order, and understands it completely; (v) she voluntarily, without any force or 32 duress, enters into this Stipulation and Final Order and consents to issuance and entry of 33 the Stipulated Final Order below; (vi) she states that no promise or representation has 34 been made to induce her to sign this Stipulation and Final Order; and (vii) she has 35

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consulted with an attorney regarding this Stipulation and Final Order and has been fully

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	a	dv	ised with regard to her rights thereto, or waives any and all rights to d	onsult with an
2			orney prior to entering into this Stipulation and Final Order and issua	nce and entry of
3	t	he	Stipulated Final Order below.	
4			STIPULATION OF FACTS	
5			STIPULATION OF FACIS	
6			The second secon	Monachlaul
7		1.	The Commission has licensed Werschkul since June 18, 1999.	
8			holds a Professional Teaching License, with an endorsement in	
9			Subjects (PK-12); valid from May 14, 2021 through May 13, 202	
10			relevant times, Werschkul was employed by the Portland Publi	c School
11			District (PPS).	
12				
13		2	. On January 11, 2022, the Commission received a School Distri	ct Misconduct
14			Report from the PPS alleging misconduct which would constitu	ite gross
15			neglect of duty and / or gross unfitness on the part of Werschk	ul, a licensed
16			educator for the State of Oregon. The report alleged that on No	ovember 15,
17	,		2021, while working at Forest Park Elementary School (FPES)	, Werschkul lost
18	3		a small bag of personal medication which was contained in a p	lastic bag. The
19	9		report alleged that after losing the bag of pills Werschkul did r	ot immediately
20)		disclose the type of medication for over 24 hours to PPS or FM	IES
2	1		administration. On November 16, 2022, an elementary school	student found
2	2		the pills on the playground and turned them in. FPES contact	ed Poison
2	3		Control and confirmed that the pills were Oxycodone.	
2	4			
2	5		3. PPS determined that Werschkul had violated the PPS Drug Fr	ee Workplace
2	6		policy by possessing a controlled substance on school ground	s. PPS issued
2	7		Werschkul a three (3) day unpaid suspension and a written re	eprimand.
28	8			
29	9		4. On November 30, 2022, Werschkul participated in a phone i	nterview with
30			TSPC investigative staff, in the presence of her attorney, Ral	
31			the interview Werschkul admitted the allegations above and	
			takes full responsibility for them and has voluntarily sought	substance abuse
32	_		rakes this reshousing for more and and	

1	treatment. TSPC and PPS were able to verify Werschkul's participation in
2	substance abuse treatment via documentation from her treatment provider.
3	
4 5 6 7 8 9	Trent Danowski, Deputy Director Teacher Standards and Practices Commission TT IS SO STIPULATED: 3/23/23 Date 3/27/2023 Date
11	
12	CONCLUSION OF LAW
13	The conduct described in sections two (2) and (3) above constitutes gross neglect
14	of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates
15	OAR 584-020-0010(5) (Use professional judgment), OAR 584-020-0025(2)(e) (Using
16	district lawful and reasonable rules and regulations).
17	
18	The Commission's authority to impose discipline in this matter is based upon
19	ORS 342.175.
20	ORDER
21	The Commission adopts and incorporates herein the above findings of fact and
22	conclusions of law, and based thereon, imposes a Public Reprimand of Kelly L.
23	Werschkul's Oregon educator license and imposition of a four (4) year period of
24	probation.
25	Issued and dated this day of April, 2023.
26	TEACHER STANDARDS AND PRACTICES COMMISSION
27	STATE OF OREGON
28	
29	By De Cree
30	Dr. Anthony Rosilez, Executive Director