1	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
2	OF THE STATE OF OREGON
3	In the Matter of the) STIPULATION OF FACTS AND FINAL ORDER OF PUBLIC
5 6 7 8 9	MICHAEL RAY BENEDICT) REPRIMAND))
10	On or about July 13, 2006, the Teacher Standards and Practices Commission
11	(Commission) received a report indicating possible inappropriate conduct by Michael
12	Ray Benedict, who currently holds a Substitute Teaching License.
13	After review of the matters alleged, Mr. Benedict and the Commission agree that
14	their respective interests, together with the public interest, are best served by a
15	stipulation to certain facts and the imposition of a public reprimand.
16	In the interest of resolving this matter, Mr. Benedict acknowledges that there are
17	sufficient facts contained in the Commission's files and records to support the findings of
18	fact and conclusions of law set forth below. Mr. Benedict understands that the
19	Commission will rely upon these findings to impose a public reprimand and waives his
20	right to appeal this Stipulation and Final Order
21	By signing below, Mr. Benedict acknowledges, understands, stipulates, and
22	agrees to the following: (i) he has been fully advised of his rights to notice and a hearing
23	to contest the findings of fact, conclusions of law, and order set forth below, and fully and
24	finally waives all such rights and any rights to appeal or otherwise challenge this
25	Stipulation and Final Order; (ii) this Stipulation and Final Order is a public document and
26	disclosed to the public upon request by the Commission; (iii) this Stipulation and Final
27	Order is contingent upon and subject to approval and adoption by the Commission. If
28	the Commission does not approve and adopt this Stipulation and Final Order, then
29	neither Mr. Benedict nor the Commission are bound by the terms herein; (iv) he has fully

1 read this Stipulation and Final Order, and understands it completely; (v) he voluntarily, 2 without any force or duress, enters into this Stipulation and Final Order and consents to 3 issuance and entry of the Stipulated Final Order below; (vi) he states that no promises or 4 representation has been made to induce him to sign this Stipulation and Final Order; and 5 (vii) he has consulted with an attorney regarding this Stipulation and Final Order and has 6 been fully advised with regard to his rights thereto, or waives any and all rights to consult 7 with an attorney prior to entering into this Stipulation and Final Order and issuance and 8 entry of the Stipulated Final Order below. 9 10 STIPULATION OF FACTS 11 1. The Commission has licensed Mr. Benedict since September 6, 1991. Most 12 recently, Mr. Benedict holds a Substitute Teaching License issued August 25, 13 2005 and valid through April 15, 2011. At all material times herein, Mr. Benedict 14 was employed by the Scio School District. 15 2. In March 2006, Mr. Benedict entered into a resignation agreement with the 16 School District by which he would resign at the end of the school year. In 17 June 2006, Mr. Benedict wrote a comment about a student's ejection from 18 a wrestling tournament on one or more students' yearbooks that read as 19 follows: "ejected from the state wrestling tournament for flagrant 20 misconduct. So buy him a full page ad?" 21 /// 22 /// 23 /// 24 /// 25

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1	IT IS SO STIPULATED:
2 3 4 5 6 7 8	Michael Ray Benedolf Michael Ray Benedolf Date Date July 10 10 10 10 10 10 10 10 10 10 10 10 10
9	
10	CONCLUSION OF LAW
11	1. By writing the comment on one or more student yearbooks as contained in
12	paragraph 2 above, Mr. Benedict engaged in gross neglect of duty in violation
13	of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-
14	020-0010(5)(Use Professional Judgment).
15	ORDER
16	The Commission adopts and incorporates herein the above findings of fact and
17	conclusion of law, and based thereon, hereby publicly reprimands Michael Ray Benedic
18	Issued and dated this <u>//</u> day of February, 2010.
19 20	TEACHER STANDARDS AND PRACTICES COMMISSION STATE OF OREGON
21 22 23	By Mamuelain Victoria Chamberlain, Executive Director
24	APPROVED AS TO FORM
25 26 27	Ralph Wiser, OSB# 81423 Attorney for Michael Benedict