

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.

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STIPULATION OF FACTS

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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.

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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?"

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1 IT IS SO STIPULATED:

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CONCLUSION OF LAW

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- 1. By writing the comment on one or more student yearbooks as contained in paragraph 2 above, Mr. Benedict engaged in gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5)(Use Professional Judgment).

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ORDER

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The Commission adopts and incorporates herein the above findings of fact and conclusion of law, and based thereon, hereby publicly reprimands Michael Ray Benedict

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Issued and dated this 16th day of February, 2010.

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**TEACHER STANDARDS AND PRACTICES COMMISSION
STATE OF OREGON**

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By *Victoria Chamberlain*
Victoria Chamberlain, Executive Director

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APPROVED AS TO FORM

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Ralph Wiser
Ralph Wiser, OSB# 81423
Attorney for Michael Benedict

01-28-10
Date

2-16-10
Date