



1 to issuance and entry of the Stipulated Final Order below; (vi) he states that no promises or  
2 representation has been made to induce him to sign this Stipulation and Final Order; and (vii) he  
3 has consulted with an attorney regarding this Stipulation and Final Order and has been fully  
4 advised with regard to his rights thereto, or waives any and all rights to consult with an attorney  
5 prior to entering into this Stipulation and Final Order and issuance and entry of the Stipulated  
6 Final Order below. This Order sets forth the facts upon which the parties have agreed and the  
7 sanction to be imposed. Weaver stipulates that there are sufficient facts contained in the  
8 Commission's files and records to support the findings of fact and conclusions of law set forth  
9 below. In entering into this stipulation, Weaver waives the right to a hearing to contest the  
10 findings of fact, conclusions of law and order set forth below.

11 **STIPULATION OF FACTS**

- 12 1. The Commission has licensed Weaver since December 17, 2007. Weaver currently  
13 holds an Initial I Teaching License with an endorsement in Advanced Mathematics at the  
14 high school level, valid December 17, 2007 through August 20, 2011.
- 15 2. On May 28, 2008 the Commission received information from the Banks School District  
16 indicating that the district investigated Mr. Weaver for potentially inappropriate  
17 communications with a female student.
- 18 3. During this investigation two Banks School District administrators reported that Mr.  
19 Weaver admitted to them, that he provided alcohol to two minor students the previous  
20 school year.
- 21 4. Mr. Weaver resigned from the Banks School District at the end of the 2007-2008 school  
22 year.

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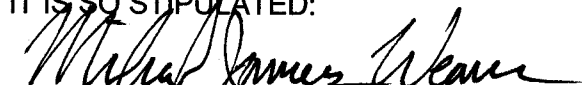
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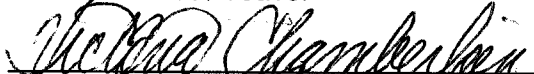
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1 5. Weaver declined to be interviewed by the Commission regarding these allegations.

2 IT IS SO STIPULATED:

3   
4 Michael James Weaver

11/5/2010  
Date

5   
6 Victoria Chamberlain, Executive Director  
7 Teacher Standards and Practices Commission

11-15-10  
Date

8 **CONCLUSION OF LAW**

9 Michael James Weaver provided alcohol to students in the Banks School District. This  
10 conduct constitutes Gross Neglect of Duty in violation of OAR 584-020-0040(4)(n) as it  
11 incorporates OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0040(4)(o) as it  
12 incorporates OAR 584-020-0035(1)(c)(D) (*Honoring appropriate adult boundaries with students*  
13 *in conduct and conversations at all times*) and Gross Unfitness in violation of OAR 584-020-  
14 0040(5)(e) (*Admission of or engaging in acts constituting criminal conduct, even in the absence*  
15 *of a conviction*), specifically ORS 471.410 (*Providing liquor to person under 21*). The  
16 Commission's authority to impose discipline in this matter is based upon ORS 342.175. Add  
17 language related to the grade change.

18 **ORDER**

19 The Commission adopts the above Stipulation of Facts, accepts the licensure surrender  
20 and revokes the Initial I Teaching License of Michael James Weaver.

21 IT IS SO ORDERED this 15<sup>th</sup> day of November, 2010.

22 TEACHER STANDARDS AND PRACTICES COMMISSION

23  
24 By:   
25 Victoria Chamberlain, Executive Director