1 2 3		BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON	
5 5 6 7	Ed	the Matter of the) DEFAULT ORDER OF ucator License of) REVOCATION AND REVOCATION OF RIGHT TO APPLY	
8		On May 7, 2014, the Teacher Standards and Practices Commission (Commission)	
9	iss	ued a Notice of Opportunity for Hearing to Eric Willard Wise (Wise) in which the	
10	Co	mmission charged him with Gross Neglect of Duty and Gross Unfitness. The Notice	
11	wa	s sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7010 2780 0000 2187	
12	313	32 to the address on file with the Commission. The Notice designated the Commission	
13	file	e as the record for purposes of proving a prima facie case. The Certified Mail was	
14	sig	ned for, and the return receipt was received by TSPC on May 13, 2014. The regular	
15	ma	ail was not returned to the Commission. The Notice of Opportunity of Hearing, dated	
16	Ma	ny 7, 2014, and signed by Victoria Chamberlain, Executive Director, stated:	
17 18 19 20 21 22 23 24		"IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF YOU FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."	
25	Wi	se did not request a hearing. The Commission, therefore, finds Wise to be in default	
26	an	d enters the following findings of fact, conclusions of law, and final order, based on	
27	the	e files and records of the Commission concerning this matter.	
28	FINDINGS OF FACT		
29	1.	Eric Willard Wise has been licensed by the Commission since April 14, 2006. Wise's	
30		Five Year Career and Technical Teaching License, with an endorsement in	
31		Marketing/Management (024), was issued on December 12, 2009, and expires on	
32		December 15, 2014. During all relevant times, Wise was employed by the Beaverton	
33		School District.	
34	2.	On April 1, 2014, Wise pled guilty to and was convicted of one count of Sexual Abuse	
35		in the second degree (ORS 163.425) and one count of Furnishing Liquor to a Minor	
36		(ORS 471.410(2)). Wise was sentenced to sixty (60) days in jail, followed by a period	
37		of probation, and required to register as a sex offender.	

3. Wise's convictions arose from allegations that included Wise, on or about June and July of 2013, having consensual sexual contact with a former student who was 17 years of age at the time. The involved minor was a prior student in one of Wise's classes at Aloha High School. Wise's sexual contact with this student included, sexual intercourse, oral sex, and digital penetration. Wise also provided this student alcohol on more than one occasion.

CONCLUSIONS OF LAW

Wise's convictions constitutes 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*); and OAR 584-020-0040(1)(n) (*ORS 163.425 – Sexual Abuse in the Second Degree*). This conduct also constitutes gross unfitness in violation of ORS 342.175(1)(c); OAR 584-020-0040(5)(d) (*Commission of an act listed in OAR 584-020-0040(1*)), and OAR 584-020-0040(5)(e) (*Admission of or engaging in acts constituting criminal conduct, even in the absence of a conviction*). Pursuant to ORS 342.175(2)(a) and OAR 584-020-0040(1) the Commission will deny, revoke or deny the right to apply for a license or charter school registration to any applicant or educator who, has been convicted of any of the crimes listed in ORS 342.143.

Furthermore, the conduct underlying Wise's convictions constitutes 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*); OAR 584-020-0040(4)(k) (*knowing violation of any order or rule of the Commission*); and OAR 584-020-0040(4)(0) as it incorporates OAR 584-020-0035(1)(c)(D)(*Honoring appropriate adult boundaries with students in conduct and conversations at all times*), OAR 584-020-0035(3)(a)(*Maintain the dignity of the profession by respecting and obeying the law, exemplifying personal integrity and honesty*); and OAR 584-020-0040(4)(f) (*Any sexual conduct with a student*). Additionally, your convictions and conduct related to your convictions constitute "gross unfitness" in violation of ORS 342.175(1)(c), OAR 584-020-0040(3)(a) and (d) as defined by OAR 584-020-0040 (5) ("*Gross unfitness is any conduct which renders an educator unqualified to perform his or her professional responsibilities*").

1	The Commission's authority to impose discipline in this matter is based upon ORS
2	342.175.
3	FINAL ORDER
4	The Commission hereby revokes Eric Willard Wise's educator license and revokes
5	his right to apply for an educator license.
6	IT IS SO ORDERED THIS day of July, 2014.
7	TEACHER STANDARDS AND PRACTICES COMMISSION
8 9	
10	By: Victoria Chamberlain, Executive Director
11	Victoria Chamberlain, Executive Director
12 13	
14 15	NOTICE OF APPEAL OR RIGHTS
16	
17	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
18	BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE
19	SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF
20	ORS 183.482 TO THE OREGON COURT OF APPEALS.

CERTIFICATE OF MAILING

I hereby certify that I served the foregoing notice of final order, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

Eric Willard Wise 3345 NW Moro Place Beaverton, OR 97006

Dated this ____day of July 2014.

Patty Viddell

Investigative Assistant