

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION

2 OF THE STATE OF OREGON

3 In the Matter of the) STIPULATION OF FACTS,
4 Teaching License of) SUSPENSION OF RIGHT TO APPLY
5 WENDY LEE HAMMITT) AND PROBATION

6 On April 7, 2008, the Teacher Standards and Practices Commission (Commission)
7 received an application from Wendy Lee Hammitt for the renewal of her Substitute Teaching
8 License. During a routine background check it was determined that Ms. Hammitt may have
9 made false statements on a previous application for educator licensure.

10 Ms. Hammitt fully cooperated with the Commission's investigation. After review of the
11 matters alleged, Ms. Hammitt and the Commission agree that their respective interests, together
12 with the public interest, are best served by a stipulation to certain facts and a one year
13 suspension of her right to apply for a teaching license. After the one year period of suspension
14 of her right to apply, Ms. Hammitt may apply for reinstatement of licensure pursuant to OAR
15 584-050-0016. Ms. Hammitt will be placed on a four (4) year period of probation upon
16 reinstatement of licensure.

17 This document sets forth the facts upon which the parties have agreed and the
18 stipulated sanction to be imposed. Ms. Hammitt stipulates that there is sufficient evidence in the
19 Commission's files and records to support the findings of fact, conclusions of law, and order set
20 forth below.

21 By signing below, Ms. Hammitt acknowledges, understands, stipulates, and agrees to
22 the following: (i) she has been fully advised of her rights to notice and a hearing to contest the
23 findings of fact, conclusions of law, and order set forth below, and fully and finally waives all
24 such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final
25 Order of Surrender of Right to Apply (Stipulation and Final Order); (ii) this Stipulation and Final
26 Order is a public document and disclosed to the public upon request by the Commission;
27 (iii) this Stipulation and Final Order is contingent upon and subject to approval and adoption by

1 the Commission. If the Commission does not approve and adopt this Stipulation and Final
2 Order, then neither Ms. Hammitt nor the Commission are bound by the terms herein; (iv) she
3 has fully read this Stipulation and Final Order, and understands it completely; (v) she voluntarily,
4 without any force or duress, enters into this Stipulation and Final Order and consents to
5 issuance and entry of the Stipulated Final Order below; (vi) she states that no promises or
6 representation has been made to induce her to sign this Stipulation and Final Order; and (vii)
7 she has consulted with an attorney regarding this Stipulation and Final Order and has been fully
8 advised with regard to her rights thereto, or waives any and all rights to consult with an attorney
9 prior to entering into this Stipulation and Final Order and issuance and entry of the Stipulated
10 Final Order below.

11 **STIPULATION OF FACTS**

12 1. The Commission has licensed Ms. Hammitt since November 2, 1982. She currently
13 holds a Substitute Teaching License issued August 30, 2005 through August 29, 2008.

14 2. On or about April 7, 2008 Ms. Hammitt signed and submitted an application for
15 Educator Licensure Form C-1 upon which she answered "yes" to questions 4, 5, 8, 10 and 11.

16 3. On August 2, 2002 the Commission issued a Public Reprimand on Ms. Hammitt's
17 licensure and placed her on probation for a period of 3 years for alcohol related offenses in the
18 state of California.

19 4. On June 3, 2005 Ms. Hammitt plead guilty and was convicted of misdemeanor
20 harassment in the State of Hawaii.

21 5. On June 15, 2005 Ms. Hammitt signed and submitted an Application for Educator
22 License Form C-1 upon which she responded "no" to all character questions.

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1 6. On August 15, 2006 Ms. Hammitt met with a Commission investigator regarding her
2 failure to properly answer questions on the Application for Educator License Form C-1. During
3 this meeting Ms. Hammitt told the investigator that she had not had contact with law
4 enforcement since the 2000 incident in California.

5 **IT IS SO STIPULATED:**

6
7 Wendy Lee Hammitt
8 Wendy Lee Hammitt

8/21/08
Date

9
10 Victoria Chamberlain
11 Victoria Chamberlain, Executive Director
12 Teacher Standards and Practices Commission
13

8-11-08
Date

14 **CONCLUSION OF LAW**

15 Wendy Lee Hammitt failed to appropriately answer character questions 4, 7, 8 and 10
16 on the Application for Educator License Form C-1 submitted to the Commission on June 10,
17 2005. This conduct constitutes gross neglect of duty in violation of ORS 342.175(1)(e) and
18 OAR 584-020-0040(4)(c). Ms. Hammitt did not disclose her June 3, 2005 conviction in Hawaii
19 to the Commission's investigator during their June 15, 2005 meeting. Ms. Hammitt violated her
20 probation with the Commission when she did not report the June 3, 2005 conviction in Hawaii as
21 required under the 2002 order of Probation. This conduct constitutes gross neglect of duty in
22 violation of OAR 584-020-0040(4)(k), ORS 342.175(1)(e) and OAR 584-020-0040(4)(c). The
23 Commission has authority to impose discipline in this matter under ORS 342.120 through
24 342.430 and OAR Chapter 584.

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1 ORDER

2 The Commission adopts and incorporates herein the above finding of facts and
3 conclusions of law, and based thereon, hereby suspends the substitute teaching license of
4 Wendy Hammitt for period of one year from the date of this order. After the period of
5 suspension, Ms. Hammitt may apply for reinstatement of licensure pursuant to OAR 584-050-
6 0016. The Commission will require Ms. Hammitt to provide evidence of completion of an
7 alcohol evaluation at the time of reinstatement.

8 Upon the reinstatement of licensure, Ms. Hammitt shall be placed on probation by the
9 Commission for a period of four (4) years, subject to the following conditions:

10 1. Ms. Hammitt shall comply with all Standards for Competent and Ethical Performance
11 of Oregon Educators under Oregon Administrative Rules, Chapter 584; and

12 2. Ms. Hammitt shall participate in a Commission approved alcohol evaluation and
13 submit the results of said evaluation prior to reinstatement of her license;

14 3. Ms. Hammitt shall report to the Commission, her compliance with any treatment plan
15 recommended by the evaluator, every six (6) months during her probation.

16 4. Ms. Hammitt shall report in writing within ten days to the Executive Director of the
17 Commission any arrest or citation for any felony, misdemeanor, or major traffic violation.

18 Violation of the terms of this probation may constitute an independent basis for the
19 Commission to impose discipline, up to and including revocation of Ms. Hammitt's licensure
20 subject to Ms. Hammitt's right to a hearing on the issue of whether she violated probation.

21 Issued and dated this 24th day of ~~August~~^{October}, 2008.

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

24
25 By: 
26 Victoria Chamberlain, Executive Director