

1 made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an
2 attorney regarding this Stipulation and Final Order and has been fully advised with regard to his
3 rights thereto, or waives any and all rights to consult with an attorney prior to entering into this
4 Stipulation and Final Order and issuance and entry of the Stipulated Final Order below.

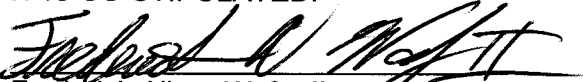
5 **STIPULATION OF FACTS**

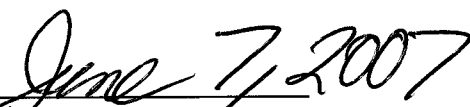
6 1. On April 28, 2005, the Commission adopted a Stipulation of Facts, Order of
7 Suspension and Probation suspending Mr. Wafer's licensure for a period of 30 days effective on
8 April 28, 2005.

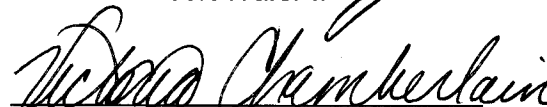
9 2. Mr. Wafer applied for a 2005 summer school position as a licensed teacher for the
10 Klamath Falls City Schools. Mr. Wafer mistakenly assumed that, because the 30-day
11 suspension period began on April 28, 2005, his license would be automatically be effective by
12 May 28, 2005, plenty of time before the June 27, 2005 start of summer school.


13 3. Upon realizing that he had to apply for reinstatement of his license following the
14 suspension period, Mr. Wafer submitted a complete application for reinstatement of his
15 suspended teaching license to the Commission. The Commission received that application on
16 June 27, 2005, the same day summer school was to begin. He taught without pay from June 27
17 through July 14.

18 IT IS SO STIPULATED:

19 
20 Frederick Albert Wafer II


Date

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23 Victoria Chamberlain, Executive Director
24 Teacher Standards and Practices Commission


Date

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CONCLUSION OF LAW

Frederick "Chip" Albert Wafer knowingly served without proper licensure in violation of OAR 584-020-0040(4)(c), OAR 584-050-0030(2) and OAR 584-050-0030(3). This conduct constitutes Gross Neglect of Duty. The Commission has the authority to impose discipline in this matter under ORS 342.120 through 342.430 and OAR Chapter 584.

FINAL ORDER

The Commission hereby adopts and incorporates herein the above findings of fact and conclusion of law and based thereon hereby imposes a Public Reprimand on Frederick "Chip" Wafer. This Stipulation of Facts, Order and Probation constitute the Reprimand.

Furthermore, the Commission imposes a one (1) year probation upon Mr. Wafer requiring that Mr. Wafer comply with all Standards for Competent and Ethical Performance under Oregon Administrative Rules, Chapter 584, Division 020.

Violation of the terms of this probation may constitute an independent basis for the Commission to impose discipline, up to and including revocation of Mr. Wafer's licensure subject to Mr. Wafer's right to a hearing on the issue of whether he violated probation.

Mr. Wafer has filed a Tort Claim Notice concerning the Vacated Default Order and the suspension that was imposed therein. As a result of this agreement, Mr. Wafer agrees to withdraw the Tort Claim Notice, and releases the Teachers Standards and Practices Commission from liability that may result from any claim surrounding the events of this case.

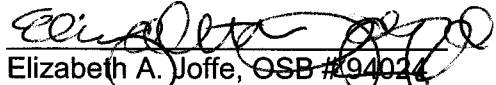
Issued and dated this 6th day of August, 2007.

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

By: Victoria Chamberlain
Victoria Chamberlain, Executive Director

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Approved as to form:



Elizabeth A. Joffe, OSB #94024
Attorney for Frederick "Chip" Albert Wafer

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