

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION  
2 OF THE STATE OF OREGON  
3

4 In the Matter of the ) DEFAULT ORDER OF  
5 Teaching License of ) REVOCATION OF TEACHING  
6 WELLS, DANIEL CHARLES ) LICENSE  
7

8 On April 25, 2012, the Teacher Standards and Practices Commission (Commission)  
9 issued a Notice of Opportunity for Hearing to Daniel Charles Wells (Wells) in which the  
10 Commission charged him with Gross Neglect of Duty. The Notice was sent via U.S. First Class  
11 Mail and U.S. Certified Mail Receipt 7011 2000 0001 1292 2190 to the address on file with the  
12 Commission. The Notice designated the Commission file as the record for purposes of proving a  
13 prima facie case. The Certified Mail was signed for on May 1, 2012. The regular mail was not  
14 returned to the Commission. The Notice of Opportunity of Hearing, dated April 25, 2012, and  
15 signed by Victoria Chamberlain, Executive Director, stated:

16 "IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD,  
17 YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR  
18 FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL.  
19 IF YOU DO NOT REQUEST A HEARING OR IF YOU FAIL TO APPEAR AT A  
20 HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY  
21 INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER  
22 DISCIPLINE."  
23

24 Wells did not request a hearing. The Commission, therefore, finds Wells to be in default and  
25 enters the following findings of fact, conclusions of law and order, based on the files and records  
26 of the Commission concerning this matter.

27 **FINDINGS OF FACT**

- 28 1. Wells has been licensed as a teacher in Oregon since July 23, 1982. He held a Standard  
29 Teaching License issued April 27, 2007, with endorsements in Basic Integrated Science,  
30 Standard Chemistry, Standard Physics, and Basic Advanced Mathematics; which expired on  
31 April 26, 2012.  
32
- 33 2. In 2001, the McMinnville School District, Wells' employer at the time, became aware of  
34 allegations that in the late 1980's, while teaching in the Beaverton School District, Wells  
35 engaged in a sexual relationship with a minor female student. When confronted with these  
36 allegations by school officials, Wells admitted he had engaged in this conduct. Wells was  
37 placed on administrative leave and subsequently resigned his teaching position with the  
38 McMinnville School District.  
39

1 3. On July 12, 2011, Wells refused to be interviewed by the Commission regarding the  
2 investigation into these matters.

3  
4 **CONCLUSIONS OF LAW**

5 Daniel Wells' conduct described in section #2 above constitutes gross neglect of duty in  
6 violation of ORS 342.175(5)(1988), OAR 584-20-010(5) (1988) (*Use Professional Judgment*),  
7 OAR 548-20-040(3)(m) (1988) as it incorporates OAR 584-20-035 (3)(a) (1988) (*Maintain the*  
8 *dignity of the profession by respecting and obeying the law, exemplifying personal integrity*  
9 *and honesty*), and OAR 584-20-040(3)(f)(1988) (*Any sexual contact with a student*).

10 Daniel Wells' conduct described in section #3 above, constitutes gross neglect of duty in  
11 violation of OAR 584-020-0040(4)(p) (*Subject to the exercise of any legal right or privilege,*  
12 *failure or refusal by an educator under investigation to respond to requests for information, to*  
13 *furnish documents or to participate in interviews with a Commission representative relating*  
14 *to a Commission investigation*).

15 The Commission's authority to impose discipline in this matter is based upon ORS  
16 342.175.

17 **FINAL ORDER**

18 The Commission hereby revokes the licensure of Daniel Charles Wells from the effective  
19 date of this order.

20 IT IS SO ORDERED THIS 20<sup>th</sup> day of September, 2012.

21 TEACHER STANDARDS AND PRACTICES COMMISSION

22  


23 By: \_\_\_\_\_  
24 Victoria Chamberlain, Executive Director  
25  
26  
27

28 **NOTICE OF APPEAL OR RIGHTS**

29  
30 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE  
31 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF  
32 THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO  
33 THE OREGON COURT OF APPEALS.