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Teacher Standards &
Practices Commission

BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
OF THE STATE OF OREGON

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In the Matter of the)
Teaching License of) STIPULATION OF FACTS
ROBERT ERNEST SMITH) AND ORDER OF REPRIMAND
)

On or about March 29, 2001, the Teacher Standards and Practices Commission (Commission) received a newspaper article published in The Oregonian indicating that Robert Ernest Smith (Smith) an auto mechanic teacher was under investigation in connection with the misappropriation of car parts donated to the school shop at McNary High School, Salem-Keizer Public Schools.

Mr. Smith fully cooperated with all aspects of the Commission's investigation of this matter. The Commission did not find any evidence that Mr. Smith retained for his personal use any monies generated by the donations, sales of vehicles or equipment. After review of the facts in this matter, Mr. Smith and the Executive Director agree that their respective interests, together with the public interests, are best served by a stipulation to certain facts and a public reprimand of Mr. Smith in this matter. This Order sets forth the facts upon which the parties have agreed and the sanction to be imposed. Mr. Smith stipulates that there are sufficient facts contained in the Commission's files and records to support the findings of fact and conclusion of law set forth below. In entering into this stipulation, Mr. Smith waives the right to a hearing to contest the findings of fact, conclusion of law and order set forth below.

STIPULATION OF FACTS

1. On August 13, 1998 The Commission issued Mr. Smith a Three-Year Professional Technical Teaching License, with a Mechanical Technology Endorsement at the request of Salem-Keizer School District. This license expired on June 28, 2002.
2. On September 1, 1998, Salem Keizer School District hired Mr. Smith to teach Auto Mechanics at McNary High School. Mr. Smith had no prior teaching experience.

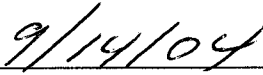
1 On February 13, 2001, the District placed Mr. Smith on paid administrative leave. He was
2 dismissed on June 12, 2001.

3 3. As the Auto Mechanics Teacher, Mr. Smith obtained receipts for expenses incurred as
4 and accounted for expenditures. However, Mr. Smith failed to document and receipt monies
5 generated by donations, sales of vehicles and equipment.

6 This stipulation is contingent upon approval and adoption of the Order by the Commission.
7 If the Commission does not adopt this Order, neither Mr. Smith nor the Commission are bound
8 by these Stipulations and Mr. Smith retains all rights to a hearing on the allegations.

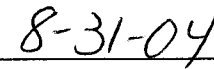
9 IT IS SO STIPULATED:

10 
11 _____
12 Robert Ernest Smith



Date

13 
14 _____
15 Victoria Chamberlain, Executive Director



Date

16 **CONCLUSION OF LAW**

17 Mr. Smith failed to demonstrate a commitment to use professional judgment, violation of
18 OAR 584-020-0001(5), by failing to document and receipt monies generated by donations, sales
19 of vehicles and equipment while serving as Auto Mechanics Teacher at McNary High School.
20 The Commission's authority to impose discipline in this matter is based upon ORS 342.175.

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2 **DISCUSSION AND ORDER**

3 The Commission adopts the above Stipulation of Facts and imposes Public Reprimand.

4 This Order shall serve as the Public Reprimand.

5 It is understood by the parties that the Mr. Smith must complete an associate's degree and
6 all requirements as required by OAR 584-042-0007 for a Five-Year Professional Technical
7 Teaching License, prior to applying to the Commission for subsequent Professional-Technical
8 Licensure.

9 IT IS SO ORDERED THIS 7 day of October 2004.

10 TEACHER STANDARDS AND PRACTICES COMMISSION

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12
13 By: Victoria Chamberlain
14 Victoria Chamberlain, Executive Director
15

16 Approved as to form:

17 Elizabeth McKanna
18 Elizabeth McKanna OSB# 89306
19 Attorney for Robert Ernest Smith

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