

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) AND
5 Michael Keith Wellens) ORDER OF REPRIMAND
6

7 On or about January 28, 2004, the Teacher Standards and Practices
8 Commission (Commission) received a report from John Neemann, Superintendent of
9 Wallowa Public Schools, indicating that Michael Keith Wellens violated Standards for
10 Competent and Ethical Performance of Oregon Educators.

11 Mr. Wellens fully cooperated with the Commission's investigation. After review of
12 the matters alleged, Mr. Wellens and the Executive Director agree that their respective
13 interests, together with the public interests, are best served by a stipulation to certain
14 facts and a reprimand.

15 This Order sets forth the facts upon which the parties have agreed and to the
16 sanction to be imposed. Mr. Wellens stipulates that there are sufficient facts contained
17 in the Commission's files and records to support the findings of fact and conclusions of
18 law set forth below. In entering into this stipulation, Mr. Wellens waives the right to a
19 hearing to contest the findings of fact, conclusion of law and order set forth below.

20 The stipulation is contingent upon approval and adoption of the Order by the
21 Commission. If the Commission does not adopt this Order, neither Mr. Wellens nor the
22 Commission are bound by these stipulations and Mr. Wellens retains all rights to a
23 hearing on the allegations.

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STIPULATION OF FACTS

1. The Commission has licensed Michael Keith Wellens since August 1, 1997. Mr. Wellens currently holds a Standard Teaching License valid May 9, 2000, through August 4, 2005.

2. During the period of August 2003, through February 2004, Mr. Wellens instructed students in the Wallowa Public Schools in shop and basic carpentry.

3. During the period of August 2003, through February 2004, Mr. Wellens employed a student to work in his carpentry business after school hours and on the week-ends.

4. During the period of August 2003, through February 2004, Mr. Wellens consumed alcohol with a student who worked after school for his carpentry business while the student's father was present and with his permission.

5. That Michael Keith Wellens, a licensed general contractor, licensed as an exempt contractor by the Oregon Construction Contractors Board, violated Oregon Administrative Rules by employing others to work in his construction business. At the same time, Mr. Wellens violated Oregon Labor Laws and Workers Compensation Laws by failing to provide insurance to the student worker.


6. Mr. Wellens has since registered as a non-exempt contractor and holds a valid license through the Oregon Construction Contractors Board and has filed correct documentation with the Oregon Labor Commission and is in compliance with all regulatory agencies related to the construction business.

CONCLUSION OF LAW

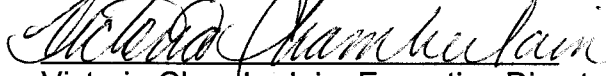
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Based on the facts set forth above it appears that Mr. Wellens' behavior during the period of August 2003, through February 2004, constitutes gross neglect of duty

1 pursuant to OAR 584-020-0040(4)(o) and 584-020-0040(5)(e), specifically in violation of
2 OAR 584-020-035(1)(b) and (3)(a). Michael Keith Wellens exploited the professional
3 relationship of a student for personal gain and failed to maintain the professional dignity
4 of the teaching profession by failing to obey the laws of the Oregon Construction
5 Contractors Board and the Oregon Labor Commission.

6 IT IS SO STIPULATED:

7 
8 Michael Keith Wellens

1-30-06
Date

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

2-9-06
Date

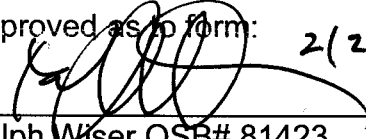
12 **ORDER**

13 The Commission imposes a Public Reprimand on Michael Keith Wellens. This
14 Stipulation of Facts and Order constitutes the Reprimand

15 IT IS SO ORDERED this 10 day of ~~April~~ ^{March 2006} ~~2005~~ *ke*

16 TEACHER STANDARDS AND PRACTICES COMMISSION

17 By 
18 Victoria Chamberlain, Executive Director
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20 Approved as to form: 2/2/06
21 
22 Ralph Wiser OSB# 81423
23 Attorney for Michael Keith Wellens
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