

FILED  
SEP 30 2017  
CLACKAMAS COUNTY

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34

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

In the Matter of the ) STIPULATION OF FACTS AND  
Educator License of ) FINAL ORDER OF REPRIMAND  
ROBERT MATTHEW WAIBEL )

On or about July 28, 2016, the Teacher Standards and Practices Commission (Commission) received a report from the North Clackamas School District alleging professional misconduct on the part of licensed educator, Robert Matthew Waibel (Waibel).

After review of the matters alleged, Waibel and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts and the imposition of a Public Reprimand.

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

By signing below, Waibel acknowledges, understands, stipulates, and agrees to the following: (i) he has been fully advised of his rights to notice and a hearing to contest the findings of fact, conclusions of law, and order set forth below, and fully and finally waives all such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Reprimand (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to the public upon request by the Commission; (iii) this Stipulation and Final Order is contingent upon and subject to approval and adoption by the Commission. If the Commission does not approve and adopt this Stipulation and Final Order, then neither Waibel nor the Commission are bound by the terms herein; (iv) he has fully read this Stipulation and Final Order, and understands it completely; (v) he voluntarily, without any force or duress, enters into this Stipulation and Final Order and consents to issuance and entry of the Stipulated Final Order below; (vi) he states that no promise or representation has been made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an attorney regarding this Stipulation and Final Order and has been fully advised with regard to his rights thereto, or waives any and all rights to consult with an attorney prior

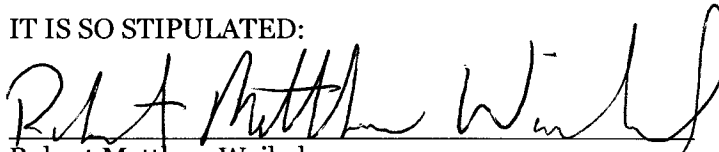
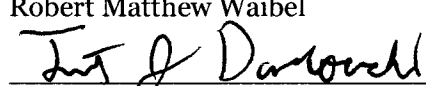
5407.2700  
BENNETT, HARTMAN, MORRIS & KAPLAN

1 to entering into this Stipulation and Final Order and issuance and entry of the Stipulated  
2 Final Order below.

3 **STIPULATION OF FACTS**

- 4 1. The Commission has licensed Waibel since November 8, 2003. Waibel’s Five-  
5 Year Career and Technical Teaching License, with an endorsement in  
6 Forestry/Natural Resources, is valid from September 15, 2012, through  
7 September 14, 2017. During all relevant times, Waibel was employed by the  
8 North Clackamas School District.
- 9 2. On July 28, 2016, the Commission received a district report alleging Waibel had  
10 violated professional standards related to classroom management and  
11 inappropriate student discipline. Investigation determined that on or about  
12 March 11, 2016, Waibel observed student AQ dangerously chopping wood while  
13 wearing “slider” style shower shoes instead of the required safety footwear.  
14 Waibel became worried for the student’s safety so he grabbed the axe from AQ  
15 and began to grub the axe into the ground near AQ’s feet. AQ backed up, stepping  
16 out of his sliders as he retreated. Waibel took one of the sliders and chopped it  
17 with the axe. Waibel explained he did this in order to send a strong message of  
18 safety to the student. Waibel then threw the sliced slider and its match into the  
19 blackberry bushes nearby while telling AQ “You won’t be wearing those  
20 anymore”. On March 28, 2016, school officials issued Waibel a written reprimand  
21 for his conduct and policy violations. The district referred Waibel to the  
22 Employee Assistance Program for possible counseling related to his conduct.

23 IT IS SO STIPULATED:

24  8/29/17  
25 Robert Matthew Waibel Date  
26  9/20/17  
27 Trent Danowski, Co-Interim Executive Director Date  
28 Teacher Standards and Practices Commission  
29  
30

31  
32 **CONCLUSION OF LAW**

33 The conduct described above constitutes gross neglect of duty in violation of ORS  
34 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(1)  
35 (*Recognize the worth and dignity of all persons and respect for each individual*), OAR  
36 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0020(2)(d) (*Skill in the*

1 *supervision of students*), OAR 584-020-0025(2)(a) (*Establishing and maintaining*  
2 *classroom management that is conducive to learning*); and OAR 584-020-0025(2)(e)  
3 (*Using district lawful and reasonable rules and regulations*).

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

6 **ORDER**

7 The Commission adopts and incorporates herein the above findings of fact and  
8 conclusions of law, and based thereon, imposes a Public Reprimand on Robert Matthew  
9 Waibel's Oregon educator license.

10

11

12 Issued and dated this 9<sup>th</sup> day of November, 2017.

13

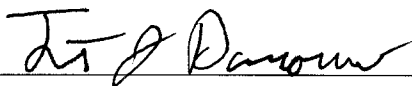
**TEACHER STANDARDS AND PRACTICES COMMISSION**

14

**STATE OF OREGON**

15

16

By 

17

Trent Danowski, Co-Interim Executive Director