

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

3 In the Matter of the) STIPULATION OF FACTS AND
4 Teaching License of) FINAL ORDER OF LICENSE
5 EDWARD JOHN FIX) REVOCATION OF RIGHT TO APPLY

6 On or about November 23, 2009 the Teacher Standards and Practices Commission
7 (Commission) received a report from Pat Evenson-Brady, Superintendent for the Hood River County
8 School District indicating that Edward John Fix (Fix) did not properly maintain or complete, and at
9 times inappropriately altered, Individual Education Plans and student records.

10 Fix fully cooperated with the Commission's investigation in this matter. After review of the
11 matters alleged, Fix and the Commission agree that their respective interests, together with the public
12 interest, are best served by a stipulation to certain facts, the imposition of the revocation of the right to
13 apply for a license for one year.

14 This document sets forth the facts upon which the parties have agreed and the stipulated
15 sanction to be imposed. Fix stipulates that there is sufficient evidence in the Commission's files and
16 records to support the findings of fact, conclusions of law, and order set forth below.

17 By signing below, Fix acknowledges, understands, stipulates, and agrees to the following: (i)
18 he has been fully advised of his rights to notice and a hearing to contest the findings of fact,
19 conclusions of law, and order set forth below, and fully and finally waives all such rights and any rights
20 to appeal or otherwise challenge this Stipulation of Facts and Final Order of Revocation of Right to
21 Apply (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and
22 disclosed to the public upon request by the Commission; (iii) this Stipulation and Final Order is
23 contingent upon and subject to approval and adoption by the Commission. If the Commission does
24 not approve and adopt this Stipulation and Final Order, then neither Fix nor the Commission are
25 bound by the terms herein; (iv) he has fully read this Stipulation and Final Order, and understands it
26 completely; (v) he voluntarily, without any force or duress, enters into this Stipulation and Final Order
27 and consents to issuance and entry of the Stipulated Final Order below; (vi) he states that no promises
28 or representation has been made to induce him to sign this Stipulation and Final Order; and (vii) he

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

5 **STIPULATION OF FACTS**


- 6 1) Edward John Fix was initially licensed as a teacher in Oregon on April 26, 2001. Fix currently
7 holds a lapsed Initial II Teaching License, with endorsements in Social Studies (HS) and Special
8 Education (MLHS, ECE/ELE L), issued on February 20, 2008, that expired on March 19, 2011. Fix
9 has not made application for renewal. During all relevant times, Fix was employed by the Hood
10 River County School District.
- 11 2) In 1990 Fix was disciplined by TSPC for providing false information on an application for an
12 Oregon Teaching Certificate.
- 13 3) In October of 2009, the Hood River County School District became aware of irregularities
14 regarding IEP (Individualized Education Plan) documentation. Fix was directed to review specific
15 IEP files and to asses if they met or failed to meet Oregon Department of Education compliance
16 standards. The District contended that it specifically provided Fix, both verbally and in writing,
17 with directives to only make this assessment and not to alter any records. Subsequent
18 investigations by the District and TSPC indicated that Fix made multiple alterations to these files
19 in violation of his directives. These changes included altered or added dates, requesting of teacher
20 signatures, and the checking of boxes previously left empty. These changes significantly altered the
21 official documents. Fix's unauthorized changes to IEP records were inconsistent with district
22 policy, IDEA requirements, and ODE's corrective action guidelines. Fix was responsible for the
23 IEP process, including the creation and maintenance of the IEP files and documents.
- 24 4) Fix reports that he was overwhelmed by the responsibilities of special education and Fix contends
25 he, until that time, not been adequately trained on or required to complete such forms since that
26 responsibility was assumed by a more experienced special education teacher. At the time of the
27 review of the files he experienced a serious medical reaction and his efforts during this time in
28 general were impacted by a medical condition which had required multiple surgeries and
29 approved time off work. Fix asserts that he was operating under the assumption that district
30 officials wanted him to correct the errors. Fix resigned/retired from the District in March of 2010
31 for medical reasons.

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1 IT IS SO STIPULATED:

2 
3 Edward John Fix

3/23/2012
Date

4 
5 Victoria Chamberlain, Executive Director

4-2-12
Date

6 Teacher Standards and Practices Commission

7 **CONCLUSIONS OF LAW**

8 The above described conduct that Edward John Fix engaged in constitutes gross neglect of
9 duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-
10 0010(5) (*Use professional judgment*), OAR 584-020-0025(2)(c) (*Using and maintaining student*
11 *records as required by federal and state law and district policies and procedures*), and OAR 584-
12 020-0025(2)(e) (*Using district lawful and reasonable rules and regulations*).


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

14 **ORDER**

15 The Commission hereby adopts and incorporates herein the above findings of fact and revokes
16 Edward John Fix's right to apply for a teaching license for one year.

17 IT IS SO ORDERED this 30th day of April, 2012.

18 TEACHER STANDARDS AND PRACTICES COMMISSION

19
20 By 
21 Victoria Chamberlain, Executive Director