

1                   BEFORE THE TEACHIS STANDARDS AND PRACTICES COMMISSION

2   OF THE STATE OF OREGON

3 In the Matter of the   )           STIPULATION OF FACTS  
4 Teaching License of   )           AND FINAL ORDER OF  
5 ROSS ANDREW WAITE   )           SUSPENSION AND PROBATION

6           On September 17, 2007, the Teacher Standards and Practices Commission (Commission)  
7 received a report from Sandra Husk, Superintendent of the Salem Keizer School District, indicating  
8 that Ross Andrew Waite (Waite) was investigated for providing false information on an employment  
9 application.

10           Mr. Waite fully cooperated with the Commission's investigation. After review of the matters  
11 alleged, Mr. Waite and the Commission agree that their respective interests, together with the public  
12 interest, are best served by a stipulation to certain facts and a six (6) month suspension followed by a  
13 term of probation of four (4) years.

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

17           By signing below, Mr. Waite acknowledges, understands, stipulates, and agrees to the  
18 following: (i) he has been fully advised of his rights to notice and a hearing to contest the findings of  
19 fact, conclusions of law, and order set forth below, and fully and finally waives all such rights and any  
20 rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Suspension and  
21 Probation (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 Mr. Waite nor the Commission  
25 are bound by the terms herein; (iv) he has fully read this Stipulation and Final Order, and understands  
26 it completely; (v) he voluntarily, without any force or duress, enters into this Stipulation and Final  
27 Order and consents to issuance and entry of the Stipulated Final Order below; (vi) he states that no  
28 promises or representation has been made to induce him to sign this Stipulation and Final Order; and

1 (vii) he has consulted with an attorney regarding this Stipulation and Final Order and has been fully  
2 advised with regard to his rights thereto, or waives any and all rights to consult with an attorney prior  
3 to entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order  
4 below. This Order sets forth the facts upon which the parties have agreed and the sanction to be  
5 imposed. Mr. Waite stipulates that there are sufficient facts contained in the Commission's files and  
6 records to support the findings of fact and conclusions of law set forth below. In entering into this  
7 stipulation, Mr. Waite waives the right to a hearing to contest the findings of fact, conclusion of law  
8 and order set forth below.

9 **STIPULATION OF FACTS**

10 1. The Commission has licensed Mr. Waite since September 6, 1991. Mr. Waite's Basic  
11 Teaching License, with endorsements in Basic Biology, Basic Chemistry, Basic Mathematics, Basic  
12 Physics, and Basic Social Studies, expires April 16, 2011. Mr. Waite also holds a Substitute Teaching  
13 License; issued February 13, 2007 that expires April 16, 2010.

14 2. On or about March 10, 2007, Mr. Waite submitted an employment application to the Salem-  
15 Keizer School District. During a review of Mr. Waite's application the District discovered several  
16 inconsistencies with dates of employment and military awards.

17 3. Mr. Waite submitted documents purporting to be defense department form 214  
18 (DD214) which in fact was not any portion of Mr. Waite's military file.

19 4. The DD form 214 submitted by Mr. Waite listed overseas service that Mr. Waite had not  
20 served. The document also listed commendations that Mr. Waite had not received, such as the  
21 Bronze Star, Purple Heart and Distinguished Service Award.

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1 5. On March 14, 2008, Mr. Waite was convicted of Forgery in the Marion County Circuit Court.

2 **IT IS SO STIPULATED AND AGREED TO:**

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5 \_\_\_\_\_  
6 Ross Andrew Waite

2-9-09  
\_\_\_\_\_  
Date

6  
7   
8 \_\_\_\_\_  
9 Victoria Chamberlain, Executive Director  
Teacher Standards and Practices Commission

2-23-09  
\_\_\_\_\_  
Date

10 **CONCLUSIONS OF LAW**

11 Ross Andrew Waite provided false information on an employment application with the Salem-  
12 Keizer School District. This conduct constitutes gross neglect of duty ORS 342.175(1)(b) in violation  
13 of OAR 584-020-0040(4)(c) ("Knowing falsification of any document or knowing misrepresentation  
14 directly related to licensure, employment, or professional duties") and in violation of OAR 584-020-  
15 0040(n) ("Substantial deviation from professional standards of competency set forth in OAR 584-020-  
16 0010 through 584-020-0030") as it incorporates OAR 584-020-0010(5) ("Use professional judgment").  
17 Ross Andrew Waite's conviction for Forgery constitutes gross unfitness ORS 342.175(1)(c) in  
18 violation of OAR 584-020-0040(5)(c) ("Conviction of violating any federal, state, or local law. A  
19 conviction includes any final judgment of conviction by a court whether as the result of guilty plea, no  
20 contest plea or any other means") and OAR 584-020-0040(5)(b) ("Fraud or misrepresentation"). The  
21 Commission has the authority to discipline you in regards to this conduct pursuant ORS  
22 342.175(1)(b), ORS 342.175(1)(e) and OAR 584-020-0040(3)(c).

23 **FINAL ORDER**

24 The Commission adopts and incorporates herein the above finding of facts, conclusions of  
25 law, and based thereon, suspends the license of Ross Andrew Waite for a period of six (6) months.  
26 Furthermore, the Commission imposes a four (4) year Probation on Ross Andrew Waite, to  
27 commence upon reinstatement, subject to the following terms and conditions:

1           1. Mr. Waite shall report in writing within ten days to the Executive Director of the Commission  
2 any arrest or citation for any felony, misdemeanor, major traffic violation or violation of criminal  
3 probation; and

4           2. Mr. Waite shall comply with all Standards for Competent and Ethical Performance under  
5 Oregon Administrative Rules Chapter 584, Division 020.

6           If Mr. Waite does not comply with the terms of this agreement he shall be in violation of the  
7 terms of this probation. Violation of any term or condition of probation shall constitute an independent  
8 basis for the Commission to revoke Mr. Waite's licensure or otherwise impose discipline, after first  
9 providing Mr. Waite with notice and opportunity for hearing.

10           Issued and dated this 23<sup>rd</sup> day of February, 2009.

11           **TEACHER STANDARDS AND PRACTICES COMMISSION**  
12           **STATE OF OREGON**

13           By   
14           Victoria Chamberlain, Executive Director  
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