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

3	In the Matter of the)	STIPULATION OF FACTS,
4	Licensure of)	ORDER OF SUSPENSION
5	FREDERICK ALBERT WAFER II aka)	AND PROBATION
6	CHIP WAFER)	

7 On or about June 7, 2004, the Teacher Standards and Practices Commission (Commission)
8 received a report from Jim Robinson, Superintendent, Lebanon Community Schools, indicating that
9 the District had received complaints of sexual harassment and/or inappropriate interactions with
10 female staff members regarding Frederick "Chip" Wafer (Wafer).

11 Mr. Wafer fully cooperated with the Commission's investigation. After review of the matters
12 alleged, Mr. Wafer and the Commission agree that their respective interests, together with the public
13 interest, are best served by a stipulation to certain facts and the imposition of a 30 day suspension of
14 licensure followed by a three (3) year period of probation upon reinstatement of licensure.

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

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

STIPULATION OF FACTS

23
24 1. Mr. Wafer holds a Standard Teaching License issued June 2, 2003, valid through
25 June 20, 2008, with an endorsement in Standard Advanced Mathematics. Mr. Wafer's Initial
26 Administrator License expired on June 20, 2004. Mr. Wafer applied for renewal on June 8, 2004, said
27 application is pending renewal.

1 2. Mr. Wafer was employed as an Assistant Principal at South Umpqua High School from
 2 August 1, 2001, through July 1, 2003. On September 9, 2002, a female staff member complained that
 3 Mr. Wafer repeatedly contacted her residence by telephone and visited her in an attempt to date her.
 4 She requested that he discontinue this behavior and requested that another administrator supervise
 5 and evaluate her performance.

6 3. Mr. Wafer was employed as a Assistant Principal for Lebanon High School beginning
 7 August 19, 2003. Mr. Wafer resigned his employment effective July 1, 2004.

8 4. During the 2003-2004 school year, Mr. Wafer subjected subordinate female staff members
 9 and a contracted service employee to inappropriate comments concerning sexually related topics,
 10 jokes, or innuendo, which caused a pattern that eventually resulted in concerns and complaints of
 11 harassment.

12 5. Mr. Wafer admits that he subjected female staff members to inappropriate comments
 13 involving sexual topics or innuendo while performing his duties as Assistant Principal for Lebanon
 14 High School.

15 IT IS SO STIPULATED:

16 *Frederick Albert Wafer II*
 17 Frederick Albert Wafer II

4-8-05
 Date

18
 19 *Victoria Chamberlain*
 20 Victoria Chamberlain, Executive Director
 21 Teacher Standards and Practices Commission

4-04-05
 Date

22 **CONCLUSIONS OF LAW**

23 Mr. Wafer's repeated and unwanted behavior toward female employees whom he supervised
 24 at Lebanon High School violated OAR 584-020-0040(4)(l), by creating an intimidating, hostile and
 25 offensive working environment. Mr. Wafer failed to demonstrate a commitment to use professional
 26 judgment when he attempted to date a teacher whom he supervised at South Umpqua High School in
 27 violation of OAR 584-020-0010(5). This conduct constitutes Gross Neglect of Duty. The

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

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1 **ORDER**

2 The Commission adopts the foregoing Stipulation of Facts and suspends the licensure of
3 Frederick Albert Wafer II, for a period of 30 days effective on April 28, 2005. At the end of this
4 suspension period, Mr. Wafer's licensure will be reinstated upon:

- 5 1. Submission of complete applications and fees pursuant to OAR 584-050-0015(3);
- 6 2. Submission of documentation that he has completed (at his own expense), a college level
7 course on sexual harassment in the work place conducted by a qualified trainer approved in advance
8 by the Commission.
- 9 3. Submission of documentation that he has completed (at his own expense) intensive
10 counseling and boundaries training to modify his behavior. This intensive training shall consist of, at
11 least eight (8) contact hours. Mr. Wafer shall provide the trainer with a copy of this Order and any
12 additional documentation as required by the trainer. The program trainer shall provide the
13 Commission with a report of successful program completion together with an evaluation report to the
14 Commission verifying that Mr. Wafer's suitability to resume serving as a licensed educator.

15 Upon the reinstatement of licensure, Mr. Wafer shall be placed on probation by the
16 Commission for a period of three (3) years, subject to the following terms and conditions:

- 17 1. Mr. Wafer shall substantially comply with any subsequent treatment or counseling as
18 recommended by the individual who completed the training and evaluation described above.
19 Mr. Wafer shall authorize and sign any consent forms as necessary for the treatment provider to
20 furnish records to or discuss Mr. Wafer's treatment with the Commission.
- 21 2. Mr. Wafer shall comply with all Standards for Competent and Ethical Performance of
22 Oregon Educators under Oregon Administrative Rules, Chapter 584, Division 020.
- 23 3. Mr. Wafer shall provide information as requested by the Commission to verify that he has
24 complied with the conditions of probation, including a statement from a future employing district that
25 he has complied with the Standards for Competent and Ethical Performance of Oregon Educators by
April 28, 2006.

1 Violation of any term or condition of this probation may constitute an independent basis for the
2 Commission to impose discipline, up to and including revocation of Mr. Wafer's teaching and/or
3 administrative license subject to Mr. Wafer's right to a hearing on the issue of whether he violated
4 probation.

5 IT IS SO ORDERED this 28th day of April, 2005.

6 TEACHER STANDARDS AND PRACTICES COMMISSION

7
8 By: Victoria Chamberlain
9 Victoria Chamberlain, Executive Director

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11 Approved as to form:

12
13 James M. Brown
14 James M. Brown, OSB# 67012
15 Attorney for Frederick Albert Wafer II

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