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MAY 13 2013

Teacher Standards &
Practices Commission

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 PUBLIC
JENNIFER ELAINE WAGNER) REPRIMAND AND PROBATION

On or about June 13, 2011, the Teacher Standards and Practices Commission (Commission) received a report from the North Lake School District indicating possible inappropriate conduct by Jennifer Elaine Wagner (Wagner) during the administration of a statewide test.

After review of the matters alleged, Wagner 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 with a four year probation period.

By signing below, Wagner acknowledges, understands, stipulates, and agrees to the following: (i) she has been fully advised of her 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 Public 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 Wagner nor the Commission are bound by the terms herein; (iv) she has fully read this Stipulation and Final Order, and understands it completely; (v) she 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) she states that no promise or representation has been made to induce her to sign this Stipulation and Final Order; and (vii) she has consulted with an attorney regarding this Stipulation and Final Order and has been fully advised with regard to her rights thereto, or waives any and all rights to consult with an attorney prior to entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order below.

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J. Elaine Wagner
Jennifer Elaine Wagner

Jennifer Elaine Wagner

Dorinda Chamberlain

5/8/13
Date

Date _____

4-30-13

Date _____

1 **CONCLUSION OF LAW**

2 Jennifer Elaine Wagner provided impermissible assistance to students during the
3 administration of the OAKS test. This constitutes gross neglect of duty in violation of
4 ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-
5 0010(2)(*Encourage scholarship*), OAR 584-020-0010(4)(*Raise educational standards*),
6 OAR 584-020-0010(5) (*Use professional judgment*), and OAR 584-020-0015(2)(a)(*Use*
7 *of state and district adopted curriculum and goals*).

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

10 **ORDER**

11 Based on the foregoing, the Commission hereby orders as follows:

- 12 1. The Commission adopts and incorporates herein the above findings of fact and
13 conclusions of law, and based thereon, imposes a Public Reprimand on Jennifer
14 Elaine Wagner's Educators License.
- 15 1. Wagner is hereby placed on probation for a period of four (4) years from the date
16 this order is signed by the Commission subject to the following conditions:

- 17 a. Wagner shall comply with the Standards for Competent and Ethical
18 Performance of Oregon Educators under Oregon Administrative Rules
19 Chapter 584, Division 020.

20 Violation of any term or condition of probation shall constitute an independent basis for
21 the Commission to revoke Wagner's teaching license, revoke her right to apply for a
22 license, or otherwise impose discipline, after first providing Wagner with notice and
23 opportunity for hearing.

24 Issued and dated this 26th day of July, 2013.

25 **TEACHER STANDARDS AND PRACTICES COMMISSION**
26 **STATE OF OREGON**

27 By Victoria Chamberlain
28 Victoria Chamberlain, Executive Director
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