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In the Matter of the)	DEFAULT ORDER OF
Educator License of)	REVOCATION AND REVOCATION
WISE, ERIC WILLARD)	OF RIGHT TO APPLY

On May 7, 2014, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Eric Willard Wise (Wise) in which the Commission charged him with Gross Neglect of Duty and Gross Unfitness. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7010 2780 0000 2187 3132 to the address on file with the Commission. The Notice designated the Commission file as the record for purposes of proving a prima facie case. The Certified Mail was signed for, and the return receipt was received by TSPC on May 13, 2014. The regular mail was not returned to the Commission. The Notice of Opportunity of Hearing, dated May 7, 2014, and signed by Victoria Chamberlain, Executive Director, stated:

“IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF YOU FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE.”

Wise did not request a hearing. The Commission, therefore, finds Wise to be in default and enters the following findings of fact, conclusions of law, and final order, based on the files and records of the Commission concerning this matter.

FINDINGS OF FACT

1. Eric Willard Wise has been licensed by the Commission since April 14, 2006. Wise's Five Year Career and Technical Teaching License, with an endorsement in Marketing/Management (024), was issued on December 12, 2009, and expires on December 15, 2014. During all relevant times, Wise was employed by the Beaverton School District.
2. On April 1, 2014, Wise pled guilty to and was convicted of one count of Sexual Abuse in the second degree (ORS 163.425) and one count of Furnishing Liquor to a Minor (ORS 471.410(2)). Wise was sentenced to sixty (60) days in jail, followed by a period of probation, and required to register as a sex offender.

3. Wise's convictions arose from allegations that included Wise, on or about June and July of 2013, having consensual sexual contact with a former student who was 17 years of age at the time. The involved minor was a prior student in one of Wise's classes at Aloha High School. Wise's sexual contact with this student included, sexual intercourse, oral sex, and digital penetration. Wise also provided this student alcohol on more than one occasion.

CONCLUSIONS OF LAW

Wise's convictions constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*); and OAR 584-020-0040(1)(n) (*ORS 163.425 – Sexual Abuse in the Second Degree*). This conduct also constitutes gross unfitness in violation of ORS 342.175(1)(c); OAR 584-020-0040(5)(d) (*Commission of an act listed in OAR 584-020-0040(1)*), and OAR 584-020-0040(5)(e) (*Admission of or engaging in acts constituting criminal conduct, even in the absence of a conviction*). Pursuant to ORS 342.175(2)(a) and OAR 584-020-0040(1) the Commission will deny, revoke or deny the right to apply for a license or charter school registration to any applicant or educator who, has been convicted of any of the crimes listed in ORS 342.143.

Furthermore, the conduct underlying Wise's convictions constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*); OAR 584-020-0040(4)(k) (*knowing violation of any order or rule of the Commission*); and OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(1)(c)(D) (*Honoring appropriate adult boundaries with students in conduct and conversations at all times*), OAR 584-020-0035(3)(a) (*Maintain the dignity of the profession by respecting and obeying the law, exemplifying personal integrity and honesty*); and OAR 584-020-0040(4)(f) (*Any sexual conduct with a student*). Additionally, your convictions and conduct related to your convictions constitute "gross unfitness" in violation of ORS 342.175(1)(c), OAR 584-020-0040(3)(a) and (d) as defined by OAR 584-020-0040 (5) (*"Gross unfitness is any conduct which renders an educator unqualified to perform his or her professional responsibilities"*).

1 The Commission's authority to impose discipline in this matter is based upon ORS
2 342.175.

3 **FINAL ORDER**

4 The Commission hereby revokes Eric Willard Wise's educator license and revokes
5 his right to apply for an educator license.

6 IT IS SO ORDERED THIS 1st day of July, 2014.

7 TEACHER STANDARDS AND PRACTICES COMMISSION
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9



10 By: _____
11 Victoria Chamberlain, Executive Director
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15 **NOTICE OF APPEAL OR RIGHTS**
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17 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
18 BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE
19 SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF
20 ORS 183.482 TO THE OREGON COURT OF APPEALS.