



1 student's wallet that was left in the student's pants pocket in the boys' locker room.  
2 Investigation determined that students had been experiencing the theft of money  
3 from the boys' locker room area. Student AS reported the thefts to Fischer in hopes  
4 an adult would help and be able to determine who was committing the thefts. The  
5 thefts continued to occur and after several weeks, AS attempted to catch the thief. AS  
6 and another student used a cell phone to record the locker room area after leaving  
7 their clothing and property in the locker room area. Upon their return, AS  
8 discovered that another theft had occurred. AS reviewed the recording at home later  
9 that evening. Upon viewing the recording, AS discovered it was Fischer who had  
10 removed the money from a student's wallet on that date. AS copied the video to a  
11 compact disc and gave Fischer a copy, telling Fischer that he had caught the thief.  
12 The following day, Fischer contacted AS and thanked him for the recording and  
13 offered him approximately \$60-80 dollars in cash. This was eventually reported to  
14 school administrators who notified law enforcement. On August 22, 2013, Fischer  
15 resigned his employment with the school district. Student AS estimated he had lost a  
16 total of approximately \$80 over the time of the thefts. Student AS and his family told  
17 law enforcement they did not wish to press criminal charges against Fischer because  
18 they believed Fischer had already been punished enough by the loss of his  
19 employment. Fischer advised Commission investigators that he was declining to be  
20 interviewed, and on June 4, 2012, Fischer provided the Commission a letter  
21 surrendering his teaching license effective May 28, 2014.

## 22 CONCLUSIONS OF LAW

23 Fischer's conduct described above, constitutes gross neglect of duty in violation of  
24 ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5)  
25 (*Use professional judgment*); OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-  
26 0035(3)(a) (*Maintain the dignity of the profession by respecting and obeying the law,*  
27 *exemplifying personal integrity and honesty*). This conduct also constitutes gross unfitness  
28 in violation of ORS 342.175(1)(c); and OAR 584-020-0040(5)(e) (*Admission of or engaging*  
29 *in acts constituting criminal conduct, even in the absence of a conviction*).

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

1 **FINAL ORDER**

2 The Commission hereby revokes Gary Lee Fischer's Educator license.

3 IT IS SO ORDERED THIS 20<sup>th</sup> day of May, 2015.

4 TEACHER STANDARDS AND PRACTICES COMMISSION



5 By: \_\_\_\_\_  
6 Victoria Chamberlain, Executive Director  
7

8 **NOTICE OF APPEAL OR RIGHTS**  
9

10 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW  
11 MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM  
12 THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE  
13 PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.