## 1 BEFORE THE TEACHIS STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON 3 STIPULATION OF FACTS AND In the Matter of the 4 **Educator License of** ) FINAL ORDER OF SUSPENSION 5 MAXWELL H. WEBER ) OF RIGHT TO APPLY FOR 6 LICENSURE 7 8 On March 18, 2019, the Teacher Standards and Practices Commission 9 (Commission) received a report from the Portland Public School District (District) 10 indicating Maxwell H. Weber (Weber) may have committed acts of gross neglect of duty 11 and/or gross unfitness, specifically, that Weber engaged in conduct that involved 12 inappropriate comments and boundaries with students. 13 After review of the matters alleged, Weber and the Commission agree that their 14 respective interests, together with the public interest, are best served by a stipulation to 15 certain facts, and the imposition of a suspension of Weber's right to apply for an Oregon 16 educator licensure for a period of ninety (90) days. 17 This Order sets forth the facts upon which the parties have agreed and the 18 sanction to be imposed. Weber stipulates that there are sufficient facts contained in the 19 Commission's files and records to support the findings of fact and conclusions of law set 20 forth below. In entering into this stipulation, Weber waives the right to a hearing to contest the findings of fact, conclusions of law and order set forth below. 21 22 By signing below, Weber acknowledges, understands, stipulates, and agrees to 23 the following: (i) he has been fully advised of his rights to notice and a hearing to contest 24 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 25 26 Facts and Final Order of Suspension of Right to Apply for Licensure (Stipulation and 27 Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to 28 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 29 30 Commission does not approve and adopt this Stipulation and Final Order, then neither Weber nor the Commission are bound by the terms herein; (iv) he has fully read this 31 Stipulation and Final Order, and understands it completely; (v) he voluntarily, without 32 any force or duress, enters into this Stipulation and Final Order and consents to issuance 33

and entry of the Stipulated Final Order below; (vi) he states that no promise or

representation has been made to induce him to sign this Stipulation and Final Order;

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1	and (vii) he has consulted with an attorney regarding this Stipulation and Final Order								
2	and has been fully advised with regard to his rights thereto, or waives any and all rights								
3	to consult with an attorney prior to entering into this Stipulation and Final Order and								
4	issuance and entry of the Stipulated Final Order below.								
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6	STIPULATION OF FACTS								
7	1. The Commission has licensed Weber since January 22, 2018. Weber held a								
8	Reciprocal Teaching License, with an endorsement in Foundational Sciences								
9	(PK-12), valid from January 22, 2018, through January 22, 2109. During all								
10	relevant times, Weber was employed by the Portland School District (PSD).								
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12	2. On March 18, 2019, the Commission received a report from PSD indicating								
13	Weber may have committed acts which constitute gross neglect of duty and/or								
14	gross unfitness. Specifically, the report alleged Weber engaged in conduct that								
15	involved inappropriate comments and boundaries with students.								
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17	3. Investigation determined that on or about June 4, 2018, Weber was substitute								
18	teaching students in a Spanish 1 class at Franklin High School and was asked by a								
19	student about the craziest thing Weber had seen as a substitute teacher. Weber tolo	ł							
20	the students about an incident a few weeks prior at a different school in which a								
21	group of students observed an educator's online shopping purchases which include	d							
22	sex themed clothing and toys on a school computer. Weber described to the class								
23	details of some the items and implied the educator was gay. Weber also told the								
24	students he was glad for the educator to have found his kink.								
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28	IT IS SO STIPULATED:								
29	Mal MMC 10 NOV 2021								
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31 32	Maxwell H. Weber Date								
32 33	dust y Vancour 11/22/202								
34 35	Trent Danowski, Deputy Director Date Teacher Standards and Practices Commission								
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## 1 **CONCLUSION OF LAW** 2 The conduct described section constitutes gross neglect of duty in violation of 3 ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) 4 (Use professional judgment), and OAR 584-020-0020(2)(d) (Skill in the supervision of 5 students), OAR 584-020-0025(2)(e) (Using district lawful and reasonable rules and 6 regulations); OAR 584-020-0040(4)(0) as it incorporates OAR 584-020-0035(1)(c)(D) 7 (Honoring appropriate adult boundaries with students in conduct and conversations at 8 all times). 9 10 The Commission's authority to impose discipline in this matter is based upon 11 ORS 342.175. 12 13 ORDER 14 The Commission adopts and incorporates herein the above findings of fact and 15 conclusions of law, and based thereon, imposes a ninety (90) day suspension upon 16 Maxwell H. Weber's Right to Apply for an Oregon educator license. 17 Furthermore, the Commission requires that reinstatement is subject to the 18 following condition: 19 1. Weber shall comply with the Standards for Competent and Ethical Performance 20 of Oregon Educators under Oregon Administrative Rules Chapter 584, Division 21 020. 22 Issued and dated this \_\_\_\_ day of February, 2022. 23 24 TEACHER STANDARDS AND PRACTICES COMMISSION 25 STATE OF OREGON 26 27 28 Dr. Anthony Rosilez, Executive Director