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OF THE STATE OF OREGON

4	In the Matter of the Teaching License of PETER LEAS PORATH)	STIPULATION OF FACTS, FINAL ORDER OF REPRIMAND AND PROBATION
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On January 25, 2006, the Teacher Standards and Practices Commission (Commission) received a report from Walt Blomberg, Superintendent, Woodburn Schools indicating that on December 12, 2005, Peter Leas Porath (Porath) used unreasonable physical force on a student when he bit him on the inside thigh during wrestling practice while acting as Assistant Wrestling coach.

Mr. Porath fully cooperated with the Commission's investigation. After review of the matters alleged, Mr. Porath and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts, a reprimand followed by a period of probation of two (2) years. Mr. Porath understands that the probation will be subject to specific terms and conditions.

This document sets forth the facts upon which the parties have agreed and the stipulated sanction to be imposed. Mr. Porath stipulates that there is sufficient evidence in the Commission's files and records to support the findings of fact, conclusions of law, and order set forth below.

By signing below, Mr. Porath acknowledges, understands, stipulates, and agrees to the following: (i) he has been fully advised of his 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, Final Order of Reprimand and Probation (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 Mr. Porath nor the Commission are bound by the terms herein; (iv) he has fully read this Stipulation and Final Order, and understands it completely; (v) he 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) he states that no promises or representation has been made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an attorney regarding this Stipulation and Final Order and has been fully advised with regard to his 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.

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

STIPULATION OF FACTS

1. Mr. Porath has been licensed by the Commission since February 1, 2000.

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- Mr. Porath holds an Initial Teaching License issued April 2, 2003, valid until November 7, 2006, with a Social Studies endorsements.
 - 2. Mr. Porath began employment with the Woodburn School District as an elementary teacher on August 24, 2000, and performed duties as Assistant Wrestling Coach for the District for the 2004-2005 school year.
 - 3. On December 12, 2005, while performing duties as an Assistant Wrestling Coach in Woodburn High School, at least six wrestlers, weighing between 180 and 215 pounds each, came up to Mr. Porath from behind in an attempt to give him a "wedgie". In the process of getting the boys off of him, Mr. Porath bit the inside of a wrestler's leg leaving distinct teeth marks. On January 9, 2006, Mr. Porath received a written reprimand from the District.
 - 4. Mr. Porath accepts responsibility for his behavior and acknowledges his behavior was inappropriate.

CONCLUSION OF LAW

Peter Leas Porath violated OAR 584-020-0040(4)(d) on December 12, 2005, when he bit the inside thigh of a wrestler. This misconduct constitutes Gross Neglect of Duty. The Commission has

1	authority to impose discipline in this matter under ORS 342.120 through 342.120 through 342.430 and			
	OAR Chapter 584.			
3	IT IS SO STIPULATED:			
4 5	PETERLEAS PORATH Date Color Date Date			
6 7 8	Victoria Chamberlain, Executive Director Teacher Standards and Practices Commission			
9	ORDER			
10	The Commission imposes a Public Reprimand on Peter Leas Porath. This Stipulation of			
11	Facts, Order and Probation constitutes the Reprimand.			
12	Furthermore, the Commission imposes a two (2) year probation upon Mr. Porath subject to the			
13	following terms and conditions:			
14	1. Mr. Porath shall submit, within the first six months of said probation, documentation that he			
15	has completed (at his own expense), a class on appropriate behavior with students and a public			
	apology to the student in writing with a copy to the Commission.			
17	2. Mr. Porath shall comply with all Standards for Competent and Ethical Performance under			
18	Oregon Administrative Rules, Chapter 584, Division 020.			
19	Violation of any term or condition of this probation may constitute an independent basis for the			
20	Commission to impose discipline, up to and including revocation of Mr. Porath's teaching license			
21	subject to Mr. Porath's right to a hearing on the issue of whether he violated probation.			
22	IT IS SO ORDERED this day of the			
23 24	TEACHER STANDARDS AND PRACTICES COMMISSION STATE OF OREGON			
25 26 27	By Icloud Mambalain Victoria Chamberlain, Executive Director			
28	Approved as to form:			
3 31	Thomas K. Doyle, OSB #97251 Attorney for Peter Leas Porath [011007]			