

1 his rights thereto, or waives any and all rights to consult with an attorney prior to entering into
2 this Stipulation and Final Order and Issuance and entry of the Stipulated Final Order below.

3 **STIPULATION OF FACTS**

- 4 1. The Commission has licensed Mr. Porath since February 1, 2000. Mr. Porath holds a
5 current Initial I Teaching License with endorsements in Social Studies at the high school
6 level.
- 7 2. On May 1, 2008, while working for the Woodburn School District, fellow teacher Mike
8 Flannigan approached Mr. Porath's classroom with some students as part of the
9 school's Intramural Olympics. After Flannigan and other students knocked on the door
10 of Mr. Porath's classroom, Mr. Porath rushed through the door, hitting Flannigan in the
11 head. Mr. Porath then started rough-housing with students. On his way back to the
12 classroom, Mr. Porath rushed student LH, pushing him into a wall. The push left an
13 indentation on the wall and caused injury to LH's back.
- 14 3. Mr. Porath was on probation with the Commission when the conduct in paragraph 2
15 occurred.

16
17 **IT IS SO STIPULATED:**

18 
19 _____
20 Peter J. Porath

9/4/09

Date

21 
22 _____
23 Victoria Chamberlain, Executive Director
24 Teacher Standards and Practices Commission

11-9-09

Date

25 **CONCLUSION OF LAW**

- 26 1. Mr. Porath's conduct described in paragraphs 2 and 3 constitutes gross neglect of
27 duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(d)(unreasonable
28 physical force); OAR 584-020-0040(4)(e)(Violent or destructive behavior); OAR 584-
29 020-0040(4)(n) as it incorporates OAR 584-020-0010(5)(professional judgment).

Page 2 STIPULATION OF FACTS ORDER OF SUSPENSION AND PROBATION - PORATH

1
2 **ORDER**

3 Based on the foregoing, it hereby ordered as follows:

- 4 1. The Initial I Teaching License of Peter L. Porath is suspended for one year subject to
5 the following conditions:
- 6 a. Reinstatement of Mr. Porath's license will be subject to Commission approval.
 - 7 b. Mr. Porath will undergo an anger management evaluation by a licensed professional
8 that is subject to the Commission's approval. The evaluation will be submitted prior
9 to the petition for reinstatement.
 - 10 c. Mr. Porath will comply with any treatment recommended by the anger management
11 evaluation if any.
 - 12 d. Mr. Porath will complete boundary training by a provider subject to Commission
13 approval prior to the petition for reinstatement. Mr. Porath will provide proof of
14 completion of the boundaries training as part of his petition for reinstatement.
 - 15 e. Mr. Porath will be eligible to petition the Commission for reinstatement of his license
16 after nine months of suspension, provided he complies with all conditions set herein.
- 17 2. Mr. Porath will be on probation for four years following any reinstatement of his license.
18 During the period of probation, Mr. Porath will comply with the following conditions:
- 19 a. Mr. Porath shall report in writing within ten days to the Executive Director of the
20 Commission any arrest or citation for any felony, misdemeanor, major traffic violation
21 or criminal probation;
 - 22 b. Mr. Porath shall comply with the Standards for Competent and Ethical Performance
23 of Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020.
- 24 3. The Commission may impose other conditions during the probation after consideration
25 of the reports from medical providers and the boundaries trainer.

*Issued and dated this 9th day of
November, 2009.*

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Victoria Chamberlain
Executive Director for the Teacher Standards & Practices Comm.