

1 **BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION**
2 **OF THE STATE OF OREGON**

3 In the Matter of the) **STIPULATION OF FACTS**
4 Teaching License of) **FINAL ORDER OF**
5 **PETER L. PORATH**) **SUSPENSION AND PROBATION**
6

7 On or about June 3, 2008, the Teacher Standards and Practices Commission
8 (Commission) received a report from Walt Blomberg, Superintendent of Woodburn School
9 District, indicating that Peter Porath may have engaged in gross neglect of duty by committing
10 acts of physical aggression and disregard for the safety of persons in school.

11 After review of the matters alleged, Mr. Porath and the Commission agree that their
12 respective interests, together with the public interest, are best served by a stipulation to certain
13 facts and the imposition of a suspension and probation.

14 By signing below, Mr. Porath acknowledges, understands, stipulates, and agrees to the
15 following: (i) he has been fully advised of his rights to notice and a hearing to contest the
16 findings of fact, conclusions of law, and order set forth below, and fully and finally waives all
17 such rights and any rights to appeal or otherwise challenge this Stipulation of Facts, Order of
18 Suspension and Probation (Stipulation and Final Order); (ii) this Stipulation and Final Order is a
19 public document and disclosed to the public upon request by the Commission; (iii) this
20 Stipulation and Final Order is contingent upon and subject to approval and adoption by the
21 Commission. If the Commission does not approve and adopt this Stipulation and Final Order,
22 then neither Mr. Porath nor the Commission are bound by the terms herein; (iv) he has fully
23 read this Stipulation and Final Order, and understands it completely; (v) he voluntarily, without
24 any force or duress, enters into this Stipulation and Final Order and consents to issuance and
25 entry of the Stipulated Final Order below; (vi) he states that no promises or representation has
26 been made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with
27 an attorney regarding this Stipulation and Final Order and has been fully advised with regard to



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).

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ORDER

Based on the foregoing, it hereby ordered as follows:

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