

1 regard to his rights thereto, or waives any and all rights to consult with an attorney prior to entering
2 into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order below. This
3 Order sets forth the facts upon which the parties have agreed and the sanction to be imposed. Mr.
4 Kanach stipulates that there are sufficient facts contained in the Commission's files and records to
5 support the findings of fact and conclusions of law set forth below. In entering into this stipulation, Mr.
6 Kanach waives the right to a hearing to contest the findings of fact, conclusions of law and order set
7 forth below.

8 **STIPULATION OF FACTS**

9 1. The Commission has licensed Mr. Kanach since May 13, 2005. Mr. Kanach currently holds
10 an Initial I Teaching License valid May 14, 2008 through November 14, 2011, with endorsements in
11 basic Mathematics and Biology, authorized to teach middle level and high school.

12 2. In the course of a domestic dissolution Mr. Kanach's honesty with regard to substance use
13 was questioned.

14 3. Knowing that his employing school district contracted for drug testing, Mr. Kanach
15 contacted the laboratory to test a urine sample. Mr. Kanach thought this would be the most expedient
16 means for obtaining the results of a urinalysis.

17 4. Mr. Kanach contacted the laboratory under the guise of a school counselor interested in the
18 process students went through when sent for drug testing.

19 5. After arriving at the laboratory Mr. Kanach learned that the results would be sent to his
20 employer and not to him directly. Mr. Kanach then dipped the testing cup into the toilet, producing a
21 "cold" sample that could not be tested.

22 *///*

23 *///*

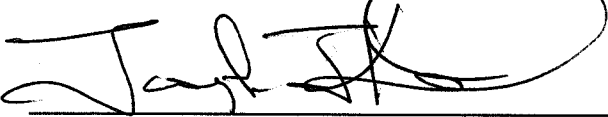
24 *///*

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1 6. The Springfield Public School District learned of this incident from the laboratory and placed
2 Mr. Kanach on administrative leave. Mr. Kanach resigned from the district on September 13, 2007.

3 **IT IS SO STIPULATED AND AGREED TO:**

4 
5 _____
6 Joseph John Kanach

3-30-09
Date

7 
8 _____
9 Victoria Chamberlain, Executive Director
10 Teacher Standards and Practices Commission

3-20-09
Date

11 **CONCLUSIONS OF LAW**

12 Joseph John Kanach made several false representations to obtain a drug screening through a
13 service utilized by his employer Springfield Public Schools. This conduct constitutes Gross Neglect of
14 Duty in violation of OAR 584-020-0040(4)(c) and OAR 584-020-0040(4)(n) as it incorporates OAR
15 584-020-0010(5). The Commission has the authority to impose discipline in this matter under ORS
16 342.120 through 342.430 and OAR Chapter 584.

17 **FINAL ORDER**

18 The Commission adopts and incorporates herein the above finding of facts, conclusions of
19 law, and based thereon, imposes a Public Reprimand on Joseph John Kanach. This Order shall
20 serve as the Public Reprimand.

21 Issued and dated this 4th day of May, 2009.

22 **TEACHIS STANDARDS AND PRACTICES COMMISSION**
23 **STATE OF OREGON**

24 By 
25 _____
26 Victoria Chamberlain, Executive Director

27