

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) AND
5 DARREN SILIA POLAMALU) FINAL ORDER OF PROBATION

6 On August 15, 2006, Darren Silia Polamalu (Polamalu) submitted an application for a
7 Restricted Transitional Teaching License to the Teacher Standards and Practices Commission
8 (Commission) co-sponsored by Winston-Dillard School District . Mr. Polamalu responded
9 affirmatively to character question 10. Mr. Polamalu provided documents and explanation
10 regarding his criminal convictions.

11 Mr. Polamalu fully cooperated with the Commission's investigation of his criminal history.
12 After review of the matters alleged, Mr. Polamalu and the Commission agree that their
13 respective interests, together with the public interest, are best served by a stipulation to certain
14 facts and a four (4) year probation.

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

19 By signing below, Mr. Polamalu acknowledges, understands, stipulates, and agrees to
20 the following: (i) he has been fully advised of his rights to notice and a hearing to contest the
21 findings of fact, conclusions of law, and order set forth below, and fully and finally waives all
22 such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final
23 Order of Probation (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public
24 document and disclosed to the public upon request by the Commission; (iii) this Stipulation and
25 Final Order is contingent upon and subject to approval and adoption by the Commission. If the
26 Commission does not approve and adopt this Stipulation and Final Order, then neither Mr.
27 Polamalu nor the Commission are bound by the terms herein; (iv) he has fully read this

1 Stipulation and Final Order, and understands it completely; (v) he voluntarily, without any force
2 or duress, enters into this Stipulation and Final Order and consents to issuance and entry of the
3 Stipulated Final Order below; (vi) he states that no promises or representation has been made
4 to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an attorney
5 regarding this Stipulation and Final Order and has been fully advised with regard to his rights
6 thereto, or waives any and all rights to consult with an attorney prior to entering into this
7 Stipulation and Final Order and issuance and entry of the Stipulated Final Order below.

8 **STIPULATION OF FACTS**

9 1. On August 15, 2006, Mr. Polamalu submitted an Application For Educator License
10 Form C-1 to the Commission requesting a Restricted Transitional Teaching License. Mr.
11 Polamalu responded affirmatively to character question 10, provided an explanation and court
12 documents. In addition, Mr. Polamalu should have responded affirmative to character question
13 8 indicating he was convicted of misdemeanor crimes.

14 2. On September 19, 2006, the Commission received an Application for Expedited
15 Service from Winston-Dillard School District. On October 3, 2006, the Commission issued Mr.
16 Polamalu an Expedited Emergency Teaching License valid until February 3, 2007, restricted to
17 Winston-Dillard School District.

18 3. On October 23, 1998, Mr. Polamalu was convicted of Burglary 1 (reduced to a
19 misdemeanor), Assault 4 and Criminal Trespass 2 in the Circuit Court of the State of Oregon for
20 the County of Benton.

21 4. On August 28, 2000, Mr. Polamalu was convicted of Boating Under the Influence in
22 the Circuit Court of the State of Oregon for Wasco County.

23 5. Mr. Polamalu is enrolled in the web based Master of Arts in Teaching Program at
24 Western Oregon University.

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

2 *Darren Silia Polamalu*
3 Darren Silia Polamalu

10/04/06
Date

4 *Victoria Chamberlain*
5 Victoria Chamberlain, Executive Director
6 Teacher Standards and Practices Commission
7

10-30-06
Date

8 **CONCLUSION OF LAW**

9 Darren Silia Polamalu's criminal convictions constitute Gross Unfitness as defined in
10 OAR 584-020-0040(5)(c). Criminal convictions may be used as evidence to establish an
11 applicant's lack of fitness to serve as an educator pursuant to OAR 584-050-0006. The
12 Commission has the authority to impose discipline in this matter under ORS 342.120 through
13 342.430 and OAR Chapter 584.

14 **FINAL ORDER**

15 The Commission adopts and incorporates herein the above findings of facts and
16 conclusions of law, and based thereon, hereby adopts the above stipulation of facts and
17 authorizes the issuance of a Restricted Transitional Teaching License to Mr. Polamalu subject
18 to all standard terms and conditions.

19 Furthermore, the Commission imposes a four (4) year probation upon Mr. Polamalu to
20 commence the date of issuance of said license and subject to the following special terms and
21 conditions of probation:

22 1. Mr. Polamalu shall within the first six months of probation, on or before
23 February 4, 2007, seek an alcohol evaluation from a licensed provider. If referred for treatment
24 Mr. Polamau shall provide the Commission with a copy of the treatment plan and aftercare plan
25 as prescribed by the treatment provider;

26 2. Mr. Polamalu shall, at his own initiative and expense, continue to obtain treatment for
27 his alcohol dependency as recommended by his alcohol treatment provider and abstain from
28 the consumption of alcohol;

1 3. If referred for treatment Mr. Polamalu shall submit to the Executive Director of the
2 Commission reports of his compliance with the aftercare treatment plan. Mr. Polamalu shall
3 provide these reports every six (6) months during his probation, on or before: May 3, 2007,
4 November 3, 2007, May 3, 2008, November 3, 2008, May 3, 2009, November 3, 2009, May 3,
5 2010, November 3, 2010, May 3, 2011, and November 3, 2011;

6 4. Mr. Polamalu shall conduct himself as a law-abiding citizen;

7 5. Mr. Polamalu shall report in writing within ten days to the Executive Director of the
8 Commission any arrest or citation for any felony, misdemeanor, major traffic violation or
9 violation of criminal probation; and

10 6. Mr. Polamalu shall comply with the Standards for Competent and Ethical Performance
11 of Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020.

12 Violation of any term or condition of probation shall constitute an independent basis for
13 the Commission to revoke Mr. Polamalu's teaching license or otherwise impose discipline, after
14 first providing Mr. Polamalu with notice and opportunity for hearing.

15 Issued and dated this 3 day of November, 2006.

16 **TEACHER STANDARDS AND PRACTICES COMMISSION**
17 **STATE OF OREGON**

18
19 By 
20 Victoria Chamberlain, Executive Director

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