

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

3 In the Matter of the)
4 Teaching License of)
5 PETER PAUL LUCAS)
6)

STIPULATION OF FACTS,
ORDER OF SUSPENSION
AND PROBATION

7 On or about April 8, 2002, the Teacher Standards and Practices Commission
8 (Commission) received a report from Gary Peterson, Superintendent, Crook County School
9 District indicating that the Peter Paul Lucas (Lucas) placed his hand on a student while
10 escorting the student to the principal's office for disciplinary reasons, in violation of directives
11 issued on January 16, 2001.

12 Mr. Lucas fully cooperated with the Commission's investigation. After review of the
13 matters alleged, Mr. Lucas and the Commission agree that their respective interests, together
14 with the public interest, are best served by a stipulation to certain facts and the imposition of a
15 sixty (60) day suspension, followed by a period of probation of four (4) years. This Order sets
16 forth the facts upon which the parties have agreed and the sanction to be imposed. In entering
17 into this stipulation, Mr. Lucas waives the right to a hearing to contest the findings of fact,
18 conclusion of law and order set forth below.

19 **STIPULATION OF FACTS**

20 1. Mr. Lucas holds a Standard Oregon Teaching License with Standard Physical
21 Education Endorsement valid until September 18, 2002. On September 14, 2001, the
22 Commission imposed a Public Reprimand and a two (2) year probation upon Mr. Lucas for
23 using physical force against a student in violation of OAR 584-020-0040(4)(d) and confronting a
24 student in an angry manner in violation of OAR 584-020-0030(2)(b).

25 2. Mr. Lucas was employed by the Crook County School District as a Physical
26 Education Teacher and a coach beginning in 1992. On January 16, 2001, Mr. Lucas received a
27 written reprimand from the school district directing him not to physically restrain a student and
28 not to make physical contact, beyond a handshake, with any student.

1 3. On or about February 13, 2002, Mr. Lucas confronted an unruly student. Mr. Lucas
2 placed his hand on the students neck and shoulder area to direct him to the office for
3 disciplinary reasons. The safety of the student or of any other person was not threatened. Mr.
4 Lucas' actions were contrary to the January 16, 2001, directive issued by the district. Mr. Lucas
5 resigned his teaching position with the Crook County School District, effective April 5, 2002.

6 4. Mr. Lucas is aware that he should not have placed his hands on the student and
7 regrets his behavior.

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

12 **CONCLUSION OF LAW**

13 Peter Paul Lucas violated OAR 584-020-0040(4)(d) by placing his hands on the neck
14 and shoulders of a student in the course of escorting the student to the office for disciplinary
15 reasons. This misconduct constitutes Gross Neglect of Duty. The Commission's authority to
16 impose discipline in this matter is based upon ORS 342.175(1)(b)

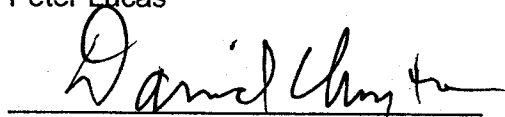
17 IT IS SO STIPULATED:

18 
19 _____

20 Peter Lucas

4-19-02

Date

21 
22 _____

23 David V. Myton, Executive Director
24 Teacher Standards and Practices Commission

4/17/02

Date

25 **DISCUSSION**

26 The Level of force Mr. Lucas used was in violation of the district directive issued to Mr.
27 Lucas on January 16, 2001. In addition, the educator was on probation with the Commission for
28 previous behavior at the time of the incident. Therefore, a period of suspension is appropriate.

1 ORDER

2 The Commission suspends the Oregon Standard Teaching License of Peter Paul Lucas
3 effective May 17, 2002 for a period of sixty (60) days. At the end of this suspension period, Mr.
4 Lucas' Teaching License shall be reinstated providing he submits a complete application with
5 required supporting documentation and fees pursuant to OAR 584-020-0015(3); and report from
6 a counselor or mental health provider indicating that he is participating in counseling.

7 Upon reinstatement of his teaching license, Mr. Lucas shall be placed on probation for a
8 period of four (4) years subject to the conditions that he comply with all Standards for
9 Competent and Ethical Performance under OAR Chapter 584, Division 020 and notify the
10 Commission of his private or public school employment and any changes thereof during the
11 term of probation.

12 Violation of the terms of this probation may constitute an independent basis for the
13 Commission to impose discipline, up to and including revocation of Mr. Lucas' teaching license
14 subject Mr. Lucas' right to a hearing on the issue of whether he violated probation.

15 Dated this 17th day of May 2002

16 TEACHER STANDARDS AND PRACTICES COMMISSION

17
18 By: David V. Myton
19 David V. Myton, Executive Director

20 Approved as to form:

21
22 Henry J. Kaplan
23 Henry J. Kaplan, OSB #83055
24 Attorney for Peter Paul Lucas

[041602]

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OF THE STATE OF OREGON

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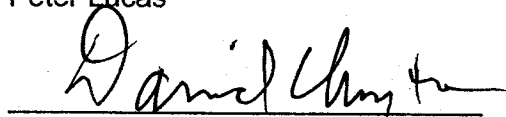
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