

1 any force or duress, enters into this Stipulation and Final Order and consents to issuance and
2 entry of the Stipulated Final Order below; (vi) he states that no promises or representation has
3 been made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with
4 an attorney regarding this Stipulation and Final Order and has been fully advised with regard to
5 his rights thereto, or waives any and all rights to consult with an attorney prior to entering into
6 this Stipulation and Final Order and issuance and entry of the Stipulated Final Order below.

7 **STIPULATION OF FACTS**

8 1. The Commission licensed Richard Simon Kochmann beginning November 1, 1999.
9 Mr. Kochmann holds an Initial Teaching License with Language Arts, Social Studies and Special
10 Education Endorsements issued February 5, 2006, valid through February 4, 2009.

11 2. On January 18, 2006, Mr. Kochmann submitted a complete application for renewal of
12 licensure. Mr. Kochmann responded affirmatively to character questions 3, 8, and 10. With
13 reference to question 3, "Have you ever failed to complete a contract for educational
14 services...?" Mr. Kochmann explained that he resigned his position at Portland Public Schools
15 for health reasons, thereby failing to complete his contract. Mr. Kochmann wrote in his
16 explanation that he resigned his position with Canby School District, "... due to personal
17 reasons." The records from Canby School District indicate that on October 14, 2002, Lou
18 Bailey, Principal of Ackerman Middle School, issued a Notice of Recommendation for
19 Immediate Dismissal. Mr. Kochmann resigned that day.

20 3. Mr. Kochmann provided a written explanation for affirmative responses to character
21 questions 8 and 10, indicating that he pled "no contest" to a misdemeanor charge of
22 Harassment in Clackamas County Circuit Court. Court records indicate that charges of Assault
23 IV and Menacing filed against Mr. Kochmann were dismissed on October 17, 2003 and that Mr.
24 Kochmann was granted Diversion for Harassment. Mr. Kochmann provided a copy of a signed
25 Order from the Clackamas County Circuit Court dated June 24, 2005, indicating that, "The
26 Defendant's plea of guilty is set aside and the above entitled matter is dismissed with prejudice."

1 4. Portland Public Schools hired Mr. Kochmann as a Life Skills Teacher at Sellwood
2 Middle School, on August 22, 2000. Mr. Kochmann resigned his position on November 30,
3 2000. Documents generated by Mr. Kochmann during and subsequent to his employment
4 indicate that Mr. Kochmann experienced difficulty communicating and resolving conflict with
5 staff at Sellwood Middle School.

6 5. West Linn-Wilsonville School District hired Mr. Kochmann in August of 2001 to teach
7 special education. The District withdrew the contract, during in-service, prior to the start of
8 classes for the 2001-2002 school year.

9 6. Mr. Kochmann served 60 days on a temporary contract (February 26, 2001, through
10 May 18, 2001) as a special education teacher at Tualatin High School, Tigard-Tualatin School
11 District.

12 7. Canby School District hired Mr. Kochmann on August 21, 2002, and assigned him as
13 a special education teacher at Ackerman Middle School. Mr. Kochmann resigned in lieu of
14 termination for unsatisfactory performance on October 14, 2002. The Recommendation for
15 Immediate Dismissal indicates that Mr. Kochmann exhibited a lack of skill in communicating with
16 students, staff and parents at Ackerman Middle School.

17 8. Mr. Kochmann served as teacher on a temporary contract at Central High School,
18 Central School District from January 21, 2004, through the end of the school year.


19 9. The North Marion School District employed Mr. Kochmann as a special education
20 teacher at North Marion High School, from August 26, 2004, through June 15, 2005. North
21 Marion School District did not renew Mr. Kochmann's contract. Documents from the District
22 indicate that Mr. Kochmann demonstrated a lack of skill in communicating with students, staff
23 and parents at North Marion High School.

24 10. Willamette Education Service District hired Mr. Kochmann as a teacher in the Cross
25 Roads Program on August 29, 2005. Mr. Kochmann resigned on March 10, 2006. Mr.
26 Kochmann exhibited a lack of skill in communicating with students in the classroom.

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

2 
3 _____
4 Richard Simon Kochmann

_____ August 3, 2006
Date

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

_____ 10-30-06
Date

7 **CONCLUSIONS OF LAW**

8 Richard Simon Kochmann made knowing misrepresentation directly related to licensure
9 on his application for licensure by indicating that he resigned from his teaching position with
10 Canby School District on October 14, 2002, for personal reasons when in fact he resigned in
11 lieu of termination. False statement on an application for licensure constitutes Gross Neglect of
12 Duty in violation of OAR 584-020-0040(4)(c). Mr. Kochmann's failure to demonstrate a skill in
13 communicating with students, staff and parents in various teaching assignments demonstrates a
14 pattern of behavior and is a substantial deviation from professional standards of competency in
15 violation of OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0030(2). The
16 Commission has the authority to impose discipline in this matter is based upon ORS 342.120
17 through 342.430 and OAR Chapter 584.

18 **FINAL ORDER**

19 The Commission hereby adopts and incorporates herein the above findings of fact and
20 conclusions of law and hereby imposes a Public Reprimand upon the licensure of Richard
21 Simon Kochmann. This Order shall serve as the Public Reprimand.

22 Furthermore, the Commission places Mr. Kochmann on Probation for a period of three
23 (3) years probation subject to the following terms and conditions:

24 1. Mr. Kochmann shall submit documentation that he has obtained professional
25 assistance to improve his skill in communicating with students, staff and parents, at his own
26 expense. Said assistance will include a graduate level course of no less than 3 quarter hours in
27 interpersonal communication or interpersonal conflict resolution from an accredited university or

1 college. Mr. Kochmann shall complete at least 8 (one hour) individual counseling sessions for
2 the purpose of improving his ability to communicate with students, staff and parents;

3 2. Mr. Kochmann shall comply with all Standards for Competent and Ethical
4 Performance of Oregon Educators under Oregon Administrative Rules, Chapter 584, Division
5 020; and

6 3. Mr. Kochmann shall provide information as requested by the Commission to verify
7 that he has complied with the conditions of probation, including a statement from future
8 employing district that he has complied with the Standards for Competent and Ethical
9 Performance of Oregon Educators.

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

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

14 **TEACHER STANDARDS AND PRACTICES COMMISSION**
STATE OF OREGON

16 By *Victoria Chamberlain*
17 Victoria Chamberlain, Executive Director
18
19

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