

1 he voluntarily, without any force or duress, enters into this Stipulation and Final Order and
2 consents to issuance and entry of the Stipulated Final Order below; (vi) he states that no
3 promises or representation has been made to induce him to sign this Stipulation and Final
4 Order; and (vii) he has consulted with his attorney Karen Zorn (OSB# 85374) regarding this
5 Stipulation and Final Order and has been fully advised with regard to his rights thereto prior to
6 entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final
7 Order below.

8

9

STIPULATION OF FACTS

10 1. Mr. Maliszewski obtained a Transitional Teaching License on August 10, 2001.

11 The license expired on August 10, 2004.

12 2. On April 30, 2002, Mr. Maliszewski was indicted on 1 count of Sexual Penetration
13 I; 1 count of Sexual Abuse I; 3 counts of Sexual Abuse II; 1 count of Sexual Abuse III; 1 count of
14 Rape 1; and 1 count of Sodomy 1.

15 3. Local newspapers published articles related to the charges against Mr.
16 Maliszewski.

17 4. On October 16, 2002, all charges were dismissed by the Linn County Circuit
18 Court.

19 5. The conduct related to the indictment occurred while Mr. Maliszewski held a
20 TSPC license.

21

22

CONCLUSIONS OF LAW

23 1. Mr. Maliszewski's conduct as outlined above is morally incompatible with
24 behavior expected of educators in the public school system and is subject to sanctions under
25 ORS chapter 342 and OAR 584-020-0040(4) and (5).

26

1 IT IS SO STIPULATED AND AGREED TO:

2
3 *Kyle Joseph Maliszewski*
4 Kyle Joseph Maliszewski

12-4-06
Date

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

12-14-06
Date

9
10 *Karen J. Zorn*
11 Approved as to form
12 Karen J. Zorn, Attorney for Mr. Maliszewski
13
14

12-5-06
Date

STIPULATED FINAL ORDER

15 Now therefore, based on the preceding Findings of Fact and Conclusions of Law, the
16 parties hereby stipulate to entry of a Final Order as follows:

- 17 1. Mr. Maliszewski hereby surrenders his right to apply for any teaching license issues by
- 18 the Commission for a period of ten years from the date of this order.
- 19 2. The Commission hereby accepts Mr. Maliszewski's surrender of his right to apply for a
- 20 teaching license pursuant to ORS 342.175(1)(b) and (c) and OAR 584-050-0027(2).

21
22
23 **TEACHER STANDARDS AND PRACTICES COMMISSION**
24 **STATE OF OREGON**
25

26 It is so ordered this 14 day of January, 2006⁷
27 By *Victoria Chamberlain*
28 Victoria Chamberlain, Executive Director