

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) ORDER OF REPRIMAND
5 NABOR ENRIQUE PINA) AND PROBATION

6 On or about August 26, 2005, the Teacher Standards and Practices Commission
7 (Commission) received a complete application for teaching license from Nabor Enrique Pina
8 (Pina). In the character question section of the application Mr. Pina responded “no” to all
9 questions. This Commission issued an Emergency License to Mr. Pina on August 29, 2005,
10 valid until January 29, 2006. A fingerprint inquiry and response from the Federal Bureau of
11 Investigation (FBI) revealed that Mr. Pina was arrested on June 27, 2004, for Vandalism in Los
12 Angeles, California and that matter is still pending in the courts.

13 Mr. Pina fully cooperated with the Commission’s investigation. After review of the
14 matters alleged, Mr. Pina and the Commission agree that their respective interests, together
15 with the public interest, are best served by a stipulation to certain facts, the imposition of a
16 Public Reprimand and a three (3) year period of probation.

17 This Order sets forth the facts upon which the parties have agreed and the sanction to
18 be imposed. Mr. Pina stipulates that there are sufficient facts contained in the Commission’s
19 files and records to support the findings of fact and conclusions of law set forth below. In
20 entering into this stipulation, Mr. Pina waives the right to a hearing to contest the finding of fact,
21 conclusion of law and order set forth below.

22 This stipulation is contingent upon approval and adoption of the Order by the
23 Commission. If the Commission does not adopt this Order, neither Mr. Pina nor the
24 Commission are bound by these stipulations, and Mr. Pina retains all rights to a hearing on the
25 allegations.

1 **STIPULATION OF FACTS**

2 1. On August 26, 2005, the Commission received an Application for Educator License
3 Form C-1 requesting a Teaching License from Mr. Pina. Mr. Pina responded "no" to all
4 character questions including number 9, "Have you ever been arrested or cited for any offense
5 listed in question (8) above which is still pending in the court?" Mr. Pina failed to disclose and
6 provide court documents regarding pending criminal for which he was arrested in Los Angeles
7 on June 27, 2004.

8 2. On December 1, 2004, Mr. Pina appeared for arraignment on one count of 594(A) PC
9 FEL – Vandalism in the Superior Court of California County of Los Angeles. On January 19,
10 2006, Mr. Pina appeared in court, pled "no contest" to a reduced misdemeanor crime and is
11 required to pay restitution in the amount of \$2000.

12 IT IS SO STIPULATED:

13 Nabor Enrique Pina
14 Nabor Enrique Pina

1/23/06
Date

15 Victoria Chamberlain
16 Victoria Chamberlain, Executive Director
17 Teacher Standards and Practices Commission
18

1-30-06
Date

19 **CONCLUSIONS OF LAW**

20 In failing to disclose an arrest and pending criminal matter on an application for licensure
21 Mr. Pina violated OAR 584-020-0040(4)(c). Engaging in criminal conduct, in addition to Mr.
22 Pina's failure to disclose it, are basis for denial of licensure pursuant to OAR 584-050-0006(1)
23 and (3). The Commission's authority to impose discipline in this matter is based upon ORS
24 342.175.

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ORDER

The Commission hereby adopts the above stipulation of facts and imposes a Public Reprimand on Mr. Pina. This Stipulation of Facts, Order of Reprimand and Probation constitute the reprimand. The Commission also places Mr. Pina on probation for a period of three years from the date of this order and subject to the following terms and conditions of probation:

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

2. Mr. Pina shall comply with the Standards for Competent and Ethical Performance of Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020.

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

IT IS SO ORDERED this 30 day of January, 2006.

TEACHER STANDARDS AND PRACTICES COMMISSION

By *Victoria Chamberlain*
Victoria Chamberlain, Executive Director

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