## 1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON 3 In the Matter of the STIPULATION OF FACTS AND Educator License of 4 ) FINAL ORDER OF PUBLIC 5 PETER N. HARLEY ) REPRIMAND AND PROBATION 6 7 On February 24, 2020, the Teacher Standards and Practices Commission 8 (Commission) received a report from Portland Public Schools indicating professional 9 misconduct on the part of licensed educator, Peter N. Harley (Harley). 10 After review of the matters alleged, Harley and the Commission agree that their 11 respective interests, together with the public interest, are best served by a stipulation to 12 certain facts and the imposition of a Public Reprimand and Probation. 13 This Order sets forth the facts upon which the parties have agreed and the 14 sanction to be imposed. Harley stipulates that there are sufficient facts contained in the 15 Commission's files and records to support the findings of fact and conclusions of law set 16 forth below. In entering into this stipulation, Harley waives the right to a hearing to 17 contest the findings of fact, conclusions of law and order set forth below. 18 By signing below, Harley acknowledges, understands, stipulates, and agrees to 19 the following: (i) he has been fully advised of his rights to notice and a hearing to contest 20 the findings of fact, conclusions of law, and order set forth below, and fully and finally 21 waives all such rights and any rights to appeal or otherwise challenge this Stipulation of 22 Facts and Final Order of Public Reprimand and Probation (Stipulation and Final Order); 23 (ii) this Stipulation and Final Order is a public document and disclosed to the public 24 upon request by the Commission; (iii) this Stipulation and Final Order is contingent 25 upon and subject to approval and adoption by the Commission. If the Commission does 26 not approve and adopt this Stipulation and Final Order, then neither Harley nor the 27 Commission are bound by the terms herein; (iv) he has fully read this Stipulation and 28 Final Order, and understands it completely; (v) he voluntarily, without any force or 29 duress, enters into this Stipulation and Final Order and consents to issuance and entry of 30 the Stipulated Final Order below; (vi) he states that no promise or representation has been made to induce him to sign this Stipulation and Final Order; and (vii) he has 31 32 consulted with an attorney regarding this Stipulation and Final Order and has been fully advised with regard to his rights thereto, or waives any and all rights to consult with an 33 attorney prior to entering into this Stipulation and Final Order and issuance and entry of 34

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the Stipulated Final Order below.

## 1 STIPULATION OF FACTS

- The Commission has licensed Harley since September 16, 2013. Harley holds a
  Preliminary Teaching License, with an endorsement Biology (PK-12);
  Construction Technology (CTE) (PK-12); and Engineering (CTE) (PK-12), valid
  from October 9, 2019, through October 8, 2022. During all relevant times, Harley
  was employed by Portland Public Schools (PPS).
  - 2. On February 24, 2020, the Commission received a report from PPS indicating Harley may have committed acts of gross neglect of duty and/or gross unfitness. The report alleged that Harley engaged in inappropriate teacher/student boundaries with students at Benson Polytechnic High School.
  - 3. Investigation determined that during the 2018-2019 and 2019-2020 school year, Harley was experiencing marital difficulties that caused him to be depressed. During this time, Harley shared information about his personal life and divorce with students in some of his classes. In interviews with PPS and the Commission, Harley acknowledged that he overshared at a time when he was struggling and in doing so, failed to maintain teacher/student boundaries.
  - 4. In January 2020, Harley brought a bag of his ex-wife's clothing to school for students to go through and keep any items they wanted before he donated the remainder to a charity. Included in the bag was a spaghetti strapped shirt that some students described as "sexy." Harley allowed a female student to keep it.
  - 5. MM, a female student, was a junior for the 2019-2020 school year. MM had previously had Harley as a teacher during her freshman and sophomore school years, and had shared personal information about her family, including her parents' divorce and her father's suicide. Harley shared personal information about his marriage and asked MM about issues relating to being a child of divorced parents. Harley also shared information about dating. Sometime in December 2019 or January, 2020, Harley and MM engaged in text conversations on miscellaneous topics unrelated to school subjects, sometimes at odd hours. For example, Harley sent a text to MM and some other students asking, "is cereal a soup," a question he was thinking of using as an icebreaker with new students. There was no allegation that the texts were sexual in nature or contained inappropriate content, other than that they occurred and were not school-related.
  - 6. Harley was an avid home brewer and students knew of this hobby and that he liked beer. In interviews with PPS and the Commission, Harley acknowledged

1 that there he had consumed alcohol with some former students, when they were 2 of age, and that he may have shared this with students. 3 7. Harley often gave students small amounts of money to assist them in buying 4 lunch and also gave students "trinkets" that he collected. 5 6 IT IS SO STIPULATED: 7  $\frac{\sqrt{2-2}-2}{\text{Date}}$   $\frac{\sqrt{202}}{\sqrt{202}}$ 8 9 Peter N. Harley 10 11 12 Trent Danowski, Deputy Director 13 Teacher Standards and Practices Commission 14 15 CONCLUSION OF LAW 16 Peter N. Harley's conduct described above constitutes gross neglect of duty in 17 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(1) (Recognize the worth and dignity of all persons and respect for each 18 19 individual), OAR 584-020-0010(5) (Use professional judgment), OAR 584-020-20 0025(2)(e) (Using district lawful and reasonable rules and regulations); OAR 584-020-21 0040(4)(0) as it incorporates OAR 584-020-0035(1)(b) (Refrain from exploiting 22 professional relationships with any student for personal gain, or in support of persons 23 or issues), OAR 584-020-0035(1)(c)(A) (Not demonstrating or expressing 24 professionally inappropriate interest in a student's personal life), and OAR 584-020-25 0035(1)(c)(D) (Honoring appropriate adult boundaries with students in conduct and 26 conversations at all times). 27 The Commission's authority to impose discipline in this matter is based upon 28 ORS 342.175. 29 30 ORDER 31 The Commission adopts and incorporates herein the above findings of fact and 32 conclusions of law, and based thereon, imposes a Public Reprimand on Peter N. Harley's 33 Oregon educator license. 34 Furthermore, the Commission imposes a period of two (2) years of probation 35 upon Harley's licensure to commence from the date this order is signed by the

Commission and subject to the following condition:

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7	1.	Harley shall comply with the Standards for Competent and Ethical Performance
2		of Oregon Educators under Oregon Administrative Rules Chapter 584, Division
3		020.
4	2.	Harley shall successfully complete Commission approved training courses on
5		classroom management and teacher/student boundaries within 60 days of the
6		adoption of this final order and provide evidence to the Commission of such
7		training.
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9		Issued and dated this day of February 2022.
10		TEACHER STANDARDS AND PRACTICES COMMISSION
11		STATE OF OREGON
12		$\Lambda/\Omega$
13		By John Mary
14		Dr. Anthony Rosilez, Executive Director