1 BEFORE THE TEACHERS STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON 3 STIPULATION OF FACTS AND 4 In the Matter of the) FINAL ORDER TO DENY 5 Educator License of) APPLICATION AND SUSPENSION 6 EARL C. J. PRATER) OF RIGHT TO APPLY FOR 7) LICENSURE 8 9 On July 14, 2021, the Teacher Standards and Practices Commission 10 (Commission) opened an investigation of Earl C. J. Prater (Prater) after Commission 11 staff believed Prater may have committed acts of gross neglect of duty and/or gross 12 unfitness. Specifically, the internal report indicated Prater may have failed to disclose 13 relevant discipline on an employment application. 14 After review of the matters alleged, Prater and the Commission agree that their 15 respective interests, together with the public interest, are best served by a stipulation to 16 certain facts, to deny Prater's pending application, and the imposition of a suspension of 17 Prater's right to apply for an Oregon educator licensure for a period of sixty (60) days. 18 This Order sets forth the facts upon which the parties have agreed and the 19 sanction to be imposed. Prater stipulates that there are sufficient facts contained in the 20 Commission's files and records to support the findings of fact and conclusions of law set 21 forth below. In entering into this stipulation, Prater waives the right to a hearing to 22 contest the findings of fact, conclusions of law and order set forth below. 23 By signing below, Prater acknowledges, understands, stipulates, and agrees to the 24 following: (i) he has been fully advised of his rights to notice and a hearing to contest the 25 findings of fact, conclusions of law, and order set forth below, and fully and finally 26 waives all such rights and any rights to appeal or otherwise challenge this Stipulation of 27 Facts and Final Order to Deny Application and Suspension of Right to Apply for 28 Licensure (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to the public upon request by the Commission; (iii) this 29 30 Stipulation and Final Order is contingent upon and subject to approval and adoption by 31 the Commission. If the Commission does not approve and adopt this Stipulation and 32 Final Order, then neither Prater nor the Commission are bound by the terms herein; (iv) 33 he has fully read this Stipulation and Final Order, and understands it completely; (v) he 34 voluntarily, without any force or duress, enters into this Stipulation and Final Order and consents to issuance and entry of the Stipulated Final Order below; (vi) he states that no 35

promise or representation has been made to induce him to sign this Stipulation and

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Final Order; and (vii) he has 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 attorney prior to entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order below. STIPULATION OF FACTS 1. The Commission has licensed Prater since September 11, 2015. Prater held a Substitute Teaching License, with an endorsement in Substitute Any Specialty (PK-12), valid from December 21, 2017, through July 14, 2021. On June 15, 2021, Prater made application for renewal of his substitute license. Prater's renewal application was on hold pending resolution of this matter. 2. In July 1999, the state of California suspended Prater's teaching credential for ten (10) days for several minor issues. 3. June 1, 2018, the Commission issued Prater Default Order of Public Reprimand for failing to disclose the ten (10) day suspension of his California teaching credential when he submitted applications for licensure to the Commission in 2015 and 2017. 4. On or about July 14, 2021, Commission staff noted that on Prater's most recent application, Prater failed to disclose disciplinary information when answering "NO" to the following character questions on Prater's application: Have you ever had any adverse action taken on a professional certificate, license or charter school registration by an agency other than the Oregon Teacher Standards and Practices Commission? Have you ever been placed on probationary status for alleged misconduct while holding a professional license, certificate, registration, or credential by an agency other than the Oregon Teacher Standards and Practices Commission? Have you ever been disciplined by any public agency responsible for licensure of any kind, including but not limited to educational licensure, other than discipline from the Oregon Teacher Standards and Practices Commission?

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1 2 3 4 5	5. On July 24, 2015, Prater submitted an application for employment with the Beaverton School District. In questions regarding previous discipline, Prater failed to disclose that in 1999, his teaching certificate was suspended in California and that in 2018, he received a Public Reprimand from the Commission.
6	6. In Prater's Commission interview, Prater admitted to not disclosing the discipline in
7	California to the Beaverton School District and the Commission because he believed it
8 9	was made through an inaccurate depiction of events.
10	IT IS SO STIPULATED:
11 12 13 14 15 16 17 18	Earl C. J. Prater Date Date
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21	CONCLUSION OF LAW
22 .	The conduct described in sections four (4) and five (5) above constitutes gross
23	neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it
24	incorporates OAR 584-020-0010(5) (Use professional judgment); OAR 584-020-
25	0040(0) as it incorporates OAR 584-020-0035(3)(a) (Maintain the dignity of the
26	profession by respecting and obeying the law, exemplifying personal integrity and
27	honesty); OAR 584-020-0040(4)(c) (Falsification of any document or knowing
28	misrepresentation directly related to licensure, employment, or professional duties).
29	The Commission's authority to impose discipline in this matter is based upon ORS
30	342.175.
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32.	ORDER
33	The Commission adopts and incorporates herein the above findings of fact and
34	conclusions of law, and based thereon, denies Earl C. J. Prater's application for an
35	Oregon educator license, and imposes a sixty (60) day suspension upon his right to apply
36	for an Oregon educator license.

1	Issued and dated this day of June, 2023.
2	TEACHER STANDARDS AND PRACTICES COMMISSION
3	STATE OF OREGON
4	1 (1) 6
5	By Mu Les
6	Dr. Anthony Rosilez, Executive Director