

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
2 OF THE STATE OF OREGON

3 In the Matter of the) STIPULATION OF FACTS AND
4 Educator License of) FINAL ORDER OF
5 DERICK A. PORTER-CEPEDA) PUBLIC REPRIMAND AND
6) PROBATION
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9 On June 9, 2023, the Teacher Standards and Practices Commission
10 (Commission) received a School District Misconduct Report from the Human Resource
11 Director of the Hillsboro School District (HSD), Brian Haats. The report alleged possible
12 professional misconduct on the part of licensed educator, Derick A. Porter-Cepeda
13 (Porter-Cepeda).

14 After review of the matters alleged, Porter-Cepeda and the Commission agree
15 that their respective interests, together with the public interest, are best served by a
16 stipulation to certain facts and the imposition of a Public Reprimand.

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

22 By signing below, Porter-Cepeda acknowledges, understands, stipulates, and
23 agrees to the following: (i) he has been fully advised of his rights to notice and a hearing
24 to contest the findings of fact, conclusions of law, and order set forth below, and fully
25 and finally waives all such rights and any rights to appeal or otherwise challenge this
26 Stipulation of Facts and Final Order of Public Reprimand (Stipulation and Final Order);
27 (ii) this Stipulation and Final Order is a public document and disclosed to the public
28 upon request by the Commission; (iii) this Stipulation and Final Order is contingent
29 upon and subject to approval and adoption by the Commission. If the Commission does
30 not approve and adopt this Stipulation and Final Order, then neither Porter-Cepeda nor
31 the Commission are bound by the terms herein; (iv) he has fully read this Stipulation and
32 Final Order, and understands it completely; (v) he voluntarily, without any force or
33 duress, enters into this Stipulation and Final Order and consents to issuance and entry of
34 the Stipulated Final Order below; (vi) he states that no promise or representation has
35 been made to induce him to sign this Stipulation and Final Order; and (vii) he has
36 consulted with an attorney regarding this Stipulation and Final Order and has been fully

1 advised with regard to his rights thereto or waives any and all rights to consult with an
2 attorney prior to entering into this Stipulation and Final Order and issuance and entry of
3 the Stipulated Final Order below.

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5 **STIPULATION OF FACTS**
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- 7 1. The Commission has licensed Porter-Cepeda since August 6, 2021. Porter-
8 Cepeda currently holds a Preliminary Teaching License with endorsements in
9 Social Studies (PK-12). The license was issued on August 6, 2021 and expires on
10 December 7, 2024. During all relevant times, Porter-Cepeda was employed by
11 the HSD.
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- 13 2. On June 9, 2023, TSPC received a School District Misconduct Report from HSD
14 Human Resource Director Brian Haats. The report alleged that Porter-Cepeda, a
15 teacher at Century High School (CHS), made sexual comments to a minor-aged
16 female student (MB) during the 2022-2023 school year.
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- 18 3. According to HSD Investigative documentation, the following occurred:
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- 20 • On an unknown date in late Winter, 2023, CHS administration became aware
21 of potential boundary issues regarding Porter-Cepeda and student MB.
 - 22 • On March 24, 2023, CHS Principal Julie Kasper (Kasper) met with Porter-
23 Cepeda and informed him that he needed to stop any and all digital
24 communication with student MB. Porter-Cepeda told Kasper that he felt he
25 couldn't discontinue communication with student MB because he felt that he
26 was MB's "life line" and that he was responsible for "keeping MB alive."
27
 - 28 • During the meeting on March 24, 2023, Porter-Cepeda was reminded of the
29 district expectations surrounding student boundaries.
 - 30 • On April 12, 2023, Porter-Cepeda and Kasper met again, and Porter-Cepeda
31 was again directed to cease all forms of digital communication with MB. -
32 Additionally, Porter-Cepeda was directed to ignore text messages from MB,
33 block her number on his phone, and was instructed to refer MB to her
support system or appropriate resources if she approached him for help, or if
he was concerned about her safety or mental health.

- 1 • On June 4, 2023, Kasper received a report alleging that Porter-Cepeda was
- 2 having an inappropriate relationship with MB from a former student.
- 3 • Based on this information, the HSD initiated an investigation.
- 4 • On June 7, 2023, Porter-Cepeda was placed on administrative leave pending
- 5 the outcome of the district's investigation.
- 6 • The HSD investigation involved the interviewing of nine (9) student witnesses
- 7 as well as MB.
- 8 • A student witness reported that Porter-Cepeda had asked MB to send him
- 9 pictures of herself via text/picture message.
- 10 • During the district investigation, both Porter- Cepeda and MB told district
- 11 investigators that they had agreed to send photos to one another so they did
- 12 not have to talk all the time but would still know that they were both ok.
- 13 • Student witnesses report that MB disclosed to them that she often spoke to
- 14 Porter-Cepeda about personal issues and had confided in him about her
- 15 struggles with body insecurity.
- 16 • One student witness (MQ) reported that MB expressed concern that Porter-
- 17 Cepeda would get mad at MB if he discovered that MB had told her friends
- 18 about speaking to him over text.
- 19 • Student witnesses as well as MB reported that Porter-Cepeda would speak to
- 20 MB over the phone for hours after school and sometimes late at night.
- 21 • MB reported that Porter-Cepeda made an inappropriate sexual comment to
- 22 MB regarding her being sexually aroused by boys that annoy her.

23 TSPC investigative staff obtained Porter-Cepeda's phone records via subpoena. A
24 review of the records showed approximately twenty-four (24) phone calls between
25 Porter-Cepeda and MB's personal cell phones. The first call occurred in January of
26 2023 and continued until mid to late April, 2023. Most of the calls were over ten (10)
27 minutes in duration, and nine (9) of the calls were over an hour in length. The
28 majority of the calls were made during the week, during the day and evening, after
29 school.

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- 31 4. TSPC investigative staff interviewed Porter-Cepeda in the presence of his
- 32 attorney, Sarah Drescher on September 15, 2023. During the interview, Porter-
- 33 Cepeda reported that MB started coming to his classroom to hang out in mid to
- 34 late October or early November, 2022. Porter-Cepeda reported that she started

1 talking with him about personal matters such as her having a difficult time after a
2 break-up with a boyfriend and her mental health. Porter-Cepeda reported that
3 MB started to rely on him fairly heavily for friendship and support right before
4 Winter Break, 2022. Porter-Cepeda confirmed that Kasper had spoken to him
5 about his relationship with MB and her concerns that he was speaking to MB
6 outside of school on March 24, 2023. Porter-Cepeda reported that during that
7 meeting he agreed with Kasper that the communication outside of school needed
8 to stop, but expressed concern that he was MB's only support system. Porter-
9 Cepeda also expressed that he feared that his support of MB was potentially a
10 matter of life and death. Porter-Cepeda reported that any and all calls or text
11 messages he shared with MB were always done to support MB. Porter-Cepeda
12 stated that he did not believe he ever had a call with MB that lasted until 3AM.
13 Porter-Cepeda reported that he had shared a few photos with MB over text, some
14 of him at a baseball game with other players/students, and that MB had shared a
15 couple of photos with him but that the photos she had shared were photos taken
16 to prove that she was ok and not in the midst of a mental health crisis. Porter-
17 Cepeda reported that he did remember making a comment to MB about her
18 weight but indicated that it was a comment to the effect of her looking fine that
19 was meant to instill some confidence in her as he was aware she struggled with
20 her body image. Porter-Cepeda denied ever making any comment to MB about
21 her being aroused. Porter-Cepeda also denied making any comments about his
22 penis size and denied ever speaking to MB about smoking marijuana with her
23 after she graduates. Porter-Cepeda added during the TSPC interview that he does
24 not smoke or drink and stated that he would never invite a student to his home.
25 Porter-Cepeda concluded his interview by stating that he had not had any contact
26 with MB since being placed on leave and stated that he is hopeful that he can
27 return to teaching soon. In a follow-up conversation with Porter-Cepeda's
28 attorney on or about January 6, 2024, the following statements were requested to
29 be added to this Stipulated Order:
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- 31 • During the 2023-2024 school year, Porter-Cepeda reports that student MB
32 engaged in self-harming activities, culminating in an attempted suicide that
33 prevented MB from attending the final days of school.

