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2 BEFORE THE
3 TEACHER STANDARDS AND PRACTICES COMMISSION
4 STATE OF OREGON
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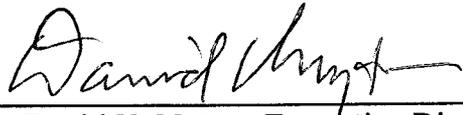
6 In the Matter of the Application for)
7 Teaching License of)
8 LAURENCE LENNY FAROVITCH)
9)

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11
12 FINAL ORDER
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14 By resolution dated March 28-29, 1996, the Teacher Standards and Practices
15 Commission adopts the attached proposed order to grant an Oregon Teaching
16 License if Mr. Farovitch meets all requirements.

17
18 DATED THIS 16th day of April, 1996.
19

20 TEACHER STANDARDS AND PRACTICES COMMISSION
21

22
23 By 
24 _____
25 David V. Myton, Executive Director
26

27 NOTICE: YOU ARE ENTITLED TO A JUDICIAL REVIEW OF THIS ORDER.
28 JUDICIAL REVIEW MAY BE OBTAINED BY FILING A PETITION FOR REVIEW
29 WITHIN 60 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW
30 IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE OREGON
31 COURT OF APPEALS.
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1	TSPC NO. 1	01/04/94	Portland Police Bureau Special Report (2 pages)
2			
3	TSPC No. 2	01/04/93 (94)	Portland Police Bureau Custody Report (3 pages)
4	TSPC No. 3	06/09/94	Multnomah County District Court Judgment and Sentencing Order (2 page)
5			
6	TSPC No. 4	09/21/94	Letter from David V. Myton to Laurence Farovitch (1 page)
7			
8	TSPC No. 5	04/03/95	Letter from Laurence Farovitch to David V. Myton (2 pages)
9	TSPC No. 6	11/30/95	Application for an Oregon teaching license (2 pages)
10			
11	TSPC No. 7	01/08/96	Letter from David V. Myton to Laurence Farovitch with copy of the postal certified mail return receipt card (2 pages)
12			
13	TSPC No. 8	02/23/96	Letter from Charlene Smith to Laurence Farovitch with attached outline of procedures for contested cases (3 pages)
14			
15	TSPC No. 9	12/08/95	Letter from David Born, Washington School for the Deaf to To Whom It May Concern (1 page)
16			
17			
18	TSPC No. 10	01/23/96	Letter from Teresa M. Stotler, Washington School for the Deaf to Oregon Teachers Standard Certification (1 page)
19			
20			
21	TSPC No. 11	01/01/94	Letter from Terry Ryther, "The Community Ear" to District Attorney Michael D. Schrunk (2 pages)
22			
23	TSPC No. 12	01/18/95	State of Washington Substitute Teacher license (1 page)
24			
25	TSPC No. 13	01/18/95	State of Washington Initial Teacher license (1 page)
26	///		

1 TSPC No. 14 02/23/96 Letter from Grace Jewitt-
2 Baranski, Washington School for
the Deaf
3 TSPC No. 15 03/12/96 Letter from Laurence Farovitch
4 to the Commission.

5 **FINDINGS OF FACT**

6 1. Mr. Farovitch was arrested in Portland, Oregon, on
7 January 4, 1994, charged with the crime of Prostitution.

8 2. On June 9, 1994, Mr. Farovitch was found guilty of the
9 crime of Prostitution after a jury trial in the Multnomah County
10 District Court. Mr. Farovitch was sentenced to one year of
11 probation, a fine of \$350, court costs of \$54, and a requirement
12 that he avoid high vice areas of Portland except for legal
13 purposes.

14 3. Mr. Farovitch has successfully completed the terms of
15 his criminal probation.

16 4. Mr. Farovitch is hearing impaired. His primary language
17 is American Sign Language, and English is his second language.
18 Mr. Farovitch has a significantly limited ability to read lips or
19 communicate by speech. There was no interpreter available when
20 Mr. Farovitch was interviewed by the police on the date of his
21 arrest.

22 5. Despite his conviction, Mr. Farovitch testified that he
23 believed he was not guilty of soliciting a prostitute. He testified
24 that there were misunderstandings and miscommunications surrounding
25 his conversations with an undercover policewoman who was posing as a
26 prostitute.

1 completed all terms of parole and probation for a crime listed under
2 ORS 342.143.

3 For the above reasons, the panel will give consideration to Mr.
4 Farovitch's application.

5 **DISCUSSION**

6 Although Mr. Farovitch testified and argued that he was
7 innocent of the crime of prostitution, the Commission must recognize
8 that Mr. Farovitch was found guilty of this offense by a jury in a
9 criminal case. The Commission cannot and should not re-examine Mr.
10 Farovitch's guilt or innocence in this proceeding.

11 The panel does note that Mr. Farovitch did not have an
12 interpreter present when he was arrested, and it appears that
13 miscommunications may have occurred during the criminal process
14 which could have affected the fairness of that process. On the
15 other hand, there is information in the police reports and in Mr.
16 Farovitch's explanation of events that supports the jury's
17 conclusion.

18 Although there is concern that Mr. Farovitch continues to deny
19 responsibility in this incident, the panel concludes that Mr.
20 Farovitch now should be issued a teaching license. Based on Mr.
21 Farovitch's satisfactory performance as a substitute teacher in
22 Washington, the absence of any misconduct before or after the
23 criminal offense occurred and the fact that more than one year has
24 elapsed since the initial denial of his application, his application
25 should be allowed if he otherwise meets all other licensing
26 requirements.

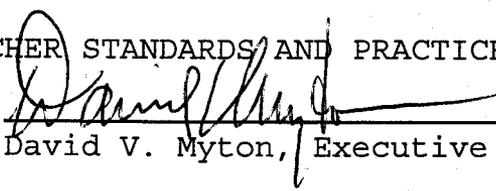
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PROPOSED ORDER

The application for an Oregon teaching license of Laurence Lenny Farovitch shall be granted by the Executive Secretary if Mr. Farovitch otherwise meets all requirements for an Oregon basic teaching license under OAR 584, Division 38.

DATED this 16th day of ~~March~~^{April}, 1996.

TEACHER STANDARDS AND PRACTICES COMMISSION

By: 
David V. Myton, Executive Secretary

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