1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON 3 In the Matter of the STIPULATION OF FACTS Teaching License of AND FINAL ORDER PAUL M. VISCAINO 5 OR LICENSE REVOCATION 6 On or about June 16, 2008, The Teacher Standards and Practices Commission 7 (Commission) received information that Paul M. Viscaino may have engaged in conduct 8 constituting gross neglect of duty. 9 After review of the matters alleged, Mr. Viscaino and the Commission agree that their 10 respective interests, together with the public interest, are best served by a stipulation to certain 11 facts and revocation of his license 12 This document sets forth the facts upon which the parties have agreed and the 13 stipulated sanction to be imposed. Mr. Viscaino stipulates that there is sufficient evidence in the 14 Commission's files and records to support the findings of fact, conclusions of law, and order set 15 forth below. 16 By signing below, Mr. Viscaino acknowledges, understands, stipulates, and agrees to 17 the following: (i) he has been fully advised of his rights to notice and a hearing to contest the 18 findings of fact, conclusions of law, and order set forth below, and fully and finally waives all 19 such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final 20 Order Revoking Right to Apply (Stipulation and Final Order); (ii) this Stipulation and Final Order 21 is a public document and disclosed to the public upon request by the Commission; (iii) this 22 Stipulation and Final Order is contingent upon and subject to approval and adoption by the 23 Commission. If the Commission does not approve and adopt this Stipulation and Final Order, 24 then neither Mr. Viscaino nor the Commission are bound by the terms herein; (iv) he has fully 25 read this Stipulation and Final Order, and understands it completely; (v) he voluntarily, without 26

any force or duress, enters into this Stipulation and Final Order and consents to issuance and

1	entry of the Stipulated Final Order below; (vi) he states that no promises or representation has
2	been made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with
3	an attorney regarding this Stipulation and Final Order and has been fully advised with regard to
4	his rights thereto, or waives any and all rights to consult with an attorney prior to entering into
5	this Stipulation and Final Order and issuance and entry of the Stipulated Final Order below.
6	This Order sets forth the facts upon which the parties have agreed and the sanction to be
7	imposed. Mr. Viscaino stipulates that there are sufficient facts contained in the Commission's
8	files and records to support the findings of fact and conclusions of law set forth below. In
9	entering into this stipulation, Mr. Viscaino waives the right to a hearing to contest the findings of
10	fact, conclusions of law and order set forth below.
11	STIPULATION OF FACTS
12	1. The Commission has licensed Mr. Viscaino since August 16, 2001. Mr. Viscaino
13	currently holds a Limited Teaching License that expires on January 13, 2011. Mr. Viscaino last
14	worked with the Jefferson Schoool District
15	2. On May 9, 2008, Mr. Viscaino was arrested for a DUII by the Madras Police
16	Department, an incident which resulted in a motorcycle accident. On May 15, 2008, Mr.
17	Viscaino was arrested for carrying a concealed weapon, a switch-blade in the court house. On
18	July 18, 2008, Mr. Viscaino pled guilty of Telephonic Harassment involving fellow employee
19	Brook Rice. A prior temporary Stalking Protective Order was taken out against you by Brook
20	Rice.
21	IT IS SO STIPULATED AND AGREED TO:
22 23	Paul M. Viscaino Date
24 25 \ 26	Victoria Chamberlain, Executive Director Date
27	Victoria Chamberlain, Executive Director Date Teacher Standards and Practices Commission

1 **CONCLUSIONS OF LAW** 2 1. By engaging in the conduct in paragraph 3 above, Mr. Viscaino engaged in gross 3 neglect of duty gross neglect of duty under ORS 342.175(1)(b), in violation of OAR 584-020-0040(4)(o) ("Substantial deviation from professional standards of ethics set 5 forth in OAR 584-020-0035") as it incorporates OAR 584-020-0035(3)(a) ("The 6 ethical educator, in fulfilling obligations to the profession, will: Maintain the dignity of 7 the profession by respecting and obeying the law, exemplifying personal integrity and 8 honesty"). gross unfitness under ORS 342.175(1)(c), in violation of OAR 584-020-9 0040(5)(e) ("Admission of or engaging in acts constituting criminal conduct, even in 10 the absence of a conviction"). 11 **FINAL ORDER** 12 Based on the foregoing, Mr. Viscaino stipulates to surrender his license, and the 13 Commission orders that it is hereby revoked. Issued and dated this // day of March, 2010. 14 15 TEACHER STANDARDS AND PRACTICES COMMISSION 16 STATE OF OREGON berlain 17 18 19 Victoria Chamberlain, Executive Director