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 ORDER OF SUSPENSION 5 MICHAEL T. MARAIA AND PROBATION 6 On or about September 1, 2015, the Teacher Standards and Practices Commission 7 (Commission) was made aware that Michael T. Maraia (Maraia) had violated Professional Standards 8 and Practices. Maraia was internally referred to the Professional Standards Unit to conduct an 9 investigation based on information discovered in a news article indicating Maraia had been arrested 10 for criminal conduct. 11 After review of the matters alleged, Maraia and the Commission agree that their respective 12 interests, together with the public interest, are best served by a stipulation to certain facts, the 13 imposition of a one (1) year suspension of Maraia's Oregon educator license, and a four (4) year period 14 of probation to commence upon reinstatement. 15 This document sets forth the facts upon which the parties have agreed and the stipulated 16 sanction to be imposed. Maraia stipulates that there is sufficient evidence in the Commission's files 17 and records to support the findings of fact, conclusions of law, and order set forth below. 18 By signing below, Maraia acknowledges, understands, stipulates, and agrees to the following: 19 (i) he has been fully advised of his rights to notice and a hearing to contest the findings of fact, 20 conclusions of law, and order set forth below, and fully and finally waives all such rights and any rights 21 to appeal or otherwise challenge this Stipulation of Facts and Final Order of Suspension and 22 Probation (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and 23 disclosed to the public upon request by the Commission; (iii) this Stipulation and Final Order is 24 contingent upon and subject to approval and adoption by the Commission. If the Commission does 25 not approve and adopt this Stipulation and Final Order, then neither Maraia nor the Commission are 26 bound by the terms herein; (iv) he has fully read this Stipulation and Final Order, and understands it 27 completely; (v) he 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 promises

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1 or representation has been made to induce him to sign this Stipulation and Final Order; and (vii) he 2 has consulted with an attorney regarding this Stipulation and Final Order and has been fully advised 3 with regard to his rights thereto, or waives any and all rights to consult with an attorney prior to 4 entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order 5 below. 6 STIPULATION OF FACTS 7 1) Maraia has been licensed as an educator in Oregon since January 21, 1988. Maraia holds a Basic 8 Teaching License, with endorsements in Basic Mathematics (019) and Basic Physical Education (019), valid from August 7, 2014, through August 6, 2017. During all relevant times, Maraia was 9 10 employed by the Forest Grove School District. 11 2) On September 1, 2015, the Commission was made aware that Maraia had been arrested on August 12 31, 2015, on charges related to allegations of patronizing a prostitute and methamphetamine 13 possession. The Commission was further made aware that Maraia pled guilty to other charges 14 related to possession of controlled substances and entered into diversion, stemming from an 15 incident on or about late May 2015. Maraia's conduct was referred to Professional Standards for 16 investigation. 17 3) Investigation determined that on May 29, 2015, police responded to a car parked in the middle of an 18 intersection with the driver apparently asleep. Police contacted Maraia as the operator of the vehicle, 19 discovered various prescribed medications, mixed together and not properly labeled. Police also 20 discovered a glass meth pipe, containing methamphetamine residue. Probable cause was established that 21 Maraia had been operating the vehicle while under the influence of one or more controlled substances. 22 Maraia indicated to commission investigators that he had accidentally taken a prescribed sleeping aid 23 instead of another prescribed medication. Maraia was arrested for three counts of Possession of a 24 Controlled Substance, and Driving Under the Influence of Intoxicants (DUII). 25 On July 20, 2015, Maraia was convicted of Attempt to Commit a class C Felony (ORS 161.405 (2)(d) 26 (Possession of Controlled Substance ORS 475.752(3)(b)), a class A misdemeanor. Maraia was sentenced

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1 to two years' probation. Records indicate Maraia was granted a diversion agreement for the DUII, but 2 after being arrested again in August 2015, Maraia's DUII diversion was amended, and Maraia was 3 convicted of the original DUII charge. Maraia was sentenced to an additional 48 hours jail time, one year 4 probation, and Maraia's driver's license was suspended for two years. 5 On or about August 28, 2015, Maraia was contacted by police on a traffic stop. Subsequent investigation 6 determined that Maraia was in the company of a nude dancer who informed police that Maraia had 7 solicited her for sex in exchange for money and drugs. Police located prescription medication in Maraia's 8 vehicle without being in a prescription bottle, however Maraia had valid prescriptions for the medicine. 9 Maraia told police he had a meth pipe and methamphetamine in the trunk of his vehicle, which officers 10 located and secured. Police located messages on Maraia's cell phone indicating Maraia had engaged in 11 conversations regarding drug activities and a potential sexual encounter. Maraia was arrested and 12 charged with Possession of Methamphetamine and Patronizing a Prostitute. 13 On January 14, 2016, Maraia pled guilty to the charge of Possession of Methamphetamines, ORS 475.894 14 and was granted a Conditional Discharge (Diversion). Maraia was sentenced to 36 months' probation, 15 participation in the Sanction Treatment Opportunity Program(STOP) and ordered to comply with all 16 requirements of the STOP program. The charge of Patronizing a Prostitute was dismissed. 17 18 As a result of Maraia's criminal activity, the Forest Grove School District recommended his 19 dismissal. On December 14, 2015, Maraia resigned his employment with the school district in lieu 20 of termination. Maraia has successfully completed a substance abuse treatment program, has 21 been participating in individual addiction therapy since October 7, 2016, and has attended the 22 Sexaholics Anonymous 12-step program since approximately December 2016. 23 /// 24 /// 25 111 26 111 27

1	IT IS SO STIPULATED:
2	Michael). 1 Marins 8/29/17
3 4 5 6	Michael T. Maraia Date Selienber 12, 2017 Trent Danowski, Co-Interim Executive Director Teacher Standards and Practices Commission Date
7	CONCLUSIONS OF LAW
8	Michael T Maraia's conduct described in section three above constitutes gross neglect of duty
9	in violation of ORS 342.175(1)(b) and (d); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-
10	0010(5) (Use professional judgment); and OAR 584-020-0040(4)(0) as it incorporates OAR 584-
11	020-0035(3)(a)(Maintain the dignity of the profession by respecting and obeying the law,
12	exemplifying personal integrity and honesty). This conduct also constitutes gross unfitness in
13	violation of ORS 342.175(1)(c); OAR 584-020-0040(5)(e) (Admission of, or engaging in acts
14	constituting criminal conduct, even in the absence of a conviction). Specifically, Maraia's conduct
15	constituted Commercial sexual solicitation as defined in ORS 167.008(1), Possession of
16	Methamphetamines, as defined in ORS 475.894, attempt to Commit a class C Felony (ORS 161.405
17	(2)(d) (Possession of Controlled Substance ORS 475.752(3)(b), and Driving Under the Influence of
18	Intoxicants (DUII).
19	The Commission's authority to impose discipline in this matter is based upon ORS 342.175.
20	ORDER
21	The Commission hereby adopts and incorporates herein the above stipulation of facts,
22	conclusions of law, and based thereon hereby imposes a one (1) year suspension upon Maraia's
23	Oregon educator license as follows:
24	Michael T Maraia's Oregon educator license is hereby suspended for one (1) year following the
25	adoption of this order.
26	Furthermore, the Commission imposes a period of four (4) years of probation upon Maraia's
27	Oregon educator license to commence upon reinstatement of his license and subject to the following
28	terms and conditions of probation:
29	1. Maraia shall comply with the Standards for Competent and Ethical Performance of Oregon

Page 4 STIPULATION OF FACTS, 6 MONTH SUSPENSION-MICHAEL T. MARAIA

1	Educators under Oregon Administrative Rules Chapter 584, Division 020.
2	2. Maraia will continue attending individual therapy relating to addictive behavior/impulse
3	control and the Sexaholics Anonymous 12-step program, as recommended by his therapist
4	with written reports to TSPC every 6 months during the suspension period and every 12
5	months during the probation period regarding progress in these areas.
6	
7	Violation of any term or condition of probation shall constitute an independent basis for the
8	Commission to revoke Maraia's educator license or otherwise impose discipline, after first providing
9	Maraia with notice and opportunity for hearing.
10 11 12	IT IS SO ORDERED this day of November, 2017.
13	TEACHER STANDARDS AND PRACTICES COMMISSION
14 15	By: Lit of Dancern
16	Trent Danowski, Co-Interim Executive Director