

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

3 In the Matter of the  
4 Teaching License of

5 ERVIN L. LATINCSICS

Case No. 113198

STIPULATION AND ORDER OF SUSPENSION

6           The Teacher Standards and Practices (Commission) issued a Notice of Denial of  
7 Teaching License and Opportunity for Hearing on August 27, 2003, to Ervin L. Latincsis. Mr.  
8 Latincsis requested a hearing, and the case was assigned to an Administrative Law Judge and  
9 scheduled for hearing on July 21, 2004.

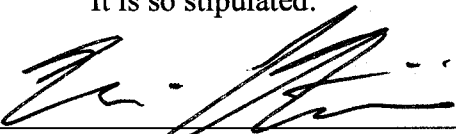
10           After a review of the matters alleged, the Commission and Mr. Latincsis have agreed  
11 that their respective interests, together with the public interest, are best served by a stipulation to  
12 certain facts and the suspension of Mr. Latincsis' right to apply for a teaching license, followed  
13 by a period of probation.

14           Mr. Latincsis continues to deny many of the allegations in the Notice, including the  
15 allegations that he mishandled school funds or that he used booster club funds for his personal  
16 purposes. However, Mr. Latincsis stipulates that there is sufficient evidence contained in the  
17 Commission's files and records to support the findings of fact and conclusions of law set forth  
18 below, and Mr. Latincsis understands and consents that the Commission will make the findings  
19 of fact and conclusions of law set forth in this order.

20           In entering into this stipulation, Mr. Latincsis waives his right to a hearing and  
21 understands that the Commission will deny his application for a license and suspend his right to  
22 apply for a license for a period of 9 months. This stipulation and proposed order are contingent  
23 on approval by the full Commission. If the Commission does not approve this stipulation and

1 order, it is understood that any waiver of rights by Mr. Latincsics is therefore revoked. It is  
2 further understood that the statements contained in this stipulation may not be used by either the  
3 Commission or Mr. Latincsics for any reason if the Commission fails to approve the stipulation  
4 and proposed order.

5 It is so stipulated:

6 

7 Ervin L. Latincsics

6/24/04  
Date

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9 Victoria Chamberlain, Executive Director  
10 Teacher Standards and Practices Commission

7-12-07  
Date

11  
12 **FINDINGS OF FACTS**

13 1. Mr. Latincsics held an Oregon Reciprocal Teaching License from September  
14 1997 to September 1999. That license has expired.

15 2. Mr. Latincsics has also held a teaching certificate in the State of Washington. He  
16 was employed as a teacher for the Battle Ground School District from September 1996 to  
17 September 1997. He worked as a teacher for the Ridgefield School District in Ridgefield,  
18 Washington from September 1999 to August 2001, and he was employed as head coach of the  
19 high school wrestling team between 1995 to January 2002.

20 3. On April 16, 2003, Mr. Latincsics entered a plea of guilty in Clark County  
21 Superior Court to the crime of Injury to a Public Record. On that day the court sentenced Mr.  
22 Latincsics to 30 days in jail, with one day credit for time served and 29 days of community  
23 service in lieu of jail time. The court also ordered Mr. Latincsics to pay \$1870 in fines, victim's

1 assessment and court fees and \$2250 as restitution to the Ridgefield School District. In addition,  
2 the court required Mr. Latincics to undergo evaluation for gambling addiction and to participate  
3 in a treatment program for gambling addiction if recommended.

4 4. On December 15, 2003, the Superintendent for Public Instruction in Washington  
5 suspended Mr. Latincics' Washington Teaching Certificate for a period of 60 days based on  
6 Latincics' failure to properly manage wrestling team funds and his conviction for the crime of  
7 Injury to a Public Record.

8 5. During the course of his employment as wrestling coach, Mr. Latincics  
9 coordinated the formation of the Ridgefield Wrestling Club. The club served as a booster  
10 organization for the wrestling team and engaged in fund-raising activities in support of the team.

11 6. During the fall of 2001, the wrestling club and the high school sold wrestling  
12 cards as a fund-raising activity involving the sale of wrestling cards. Mr. Latincics altered  
13 documents and mismanaged funds related to this activity.

14 7. During the period between April 2001 and December 2001, Mr. Latincics wrote  
15 checks using the wrestling club checking account and charged money on a credit card of the  
16 wrestling club for Mr. Latincics' personal purposes.

17 8. On March 2, 2003, Mr. Latincics applied for an Oregon Teaching License. On  
18 the application, he answered "no" to the question, "Have you ever left any educational or school-  
19 related employment, voluntarily or involuntarily, while the subject of an inquiry, review or  
20 investigation of alleged misconduct?" In fact, Mr. Latincics resigned his position as coach of  
21 the Ridgefield High School wrestling team in January 2002 while he was the subject of an  
22 investigation by the school district.

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1           1.       The Commission denies the application of Ervin L. Latincsics for an Oregon  
2 Teaching License and suspends the right of Mr. Latincsics to apply for a license for a period of 9  
3 months from the date of this order. Upon expiration of the period of suspension, Mr. Latincsics  
4 may apply for issuance of a license as provided under OAR 584-050-0015. The license license  
5 shall be issued if Mr. Latincsics meets the following conditions:

6           a.       He shall, at his own expense, undergo an evaluation by a mental health  
7 professional who is acceptable to the Commission. Mr. Latincsics shall provide a copy of this  
8 order to the evaluator and any other materials the evaluator deems appropriate. The evaluator  
9 shall submit a report directly to the Commission. The report shall contain the following: (i) a  
10 statement that in the professional opinion of the evaluator, Mr. Latincsics is fit to work as a  
11 teacher and there is a high probability that Mr. Latincsics will not mishandle funds or engage in  
12 other dishonest or unprofessional conduct in the future; (ii) a description of the processes, testing  
13 and techniques used in the evaluation; (iii) an explanation of the basis for the evaluator's  
14 findings; (iv) whether there is any underlying physical or mental condition that would prevent  
15 Mr. Latincsics from meeting his professional responsibilities; and (v) a recommendation as to  
16 whether Mr. Latincsics should participate in continuing treatment.

17           b.       The Commission considers the evaluator's report to be a medical record  
18 containing personal information the disclosure of which would constitute an unreasonable  
19 invasion of privacy. The Commission shall not disclose the report unless ordered to do so under  
20 Oregon law.

21           On issuance of the teaching license, Mr. Latincsics shall be placed on probation to the  
22 Commission for a period of four years, subject to the following conditions:

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1. Mr. Latincsics shall participate in continued treatment or counseling as recommended by the evaluator.

2. Mr. Latincsics shall not accept a school-related position that requires him to handle funds of a school or of any sponsoring organization of a school.

3. Mr. Latincsics shall comply with all Standards for Competent and Ethical Performance under OAR 584 Division 020.

Violation of any condition of probation may constitute an independent basis for the Commission to impose discipline, up to and including revocation of Mr. Latincsics' Oregon Teaching License, subject to his right to a hearing on the issue of whether he violated probation.

IT IS SO ORDERED this 29<sup>th</sup> day of July, 2004

TEACHER STANDARDS AND PRACTICES COMMISSION

By: *Victoria Chamberlain*  
Victoria Chamberlain, Executive Director