BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION

OF THE STATE OF OREGON

3	In the Matter of the) .	STIPULATION OF FACTS
4	Teaching License of	•)	AND
5	PETER JAMES LEINEWEBER)	ORDER OF PROBATION

On August 6, 2003, Peter James Leineweber (Leineweber) submitted an application for an Initial Teaching License to the Teacher Standards and Practices Commission (Commission). Mr. Leineweber responded affirmatively to character questions 8 and 10. Mr. Leineweber indicated that he provided an explanation and documentation with a prior application. On May 14, 2003, Mr. Leineweber submitted a Student Teaching Or Practicum Report – Form PA-1. Mr. Leineweber responded affirmatively to character questions 8 and 10, and provided documentation for an October 28, 1998, conviction for Driving Under the Influence of Intoxicants in Springfield Municipal Court. Mr. Leineweber provided a written explanation.

After review of the matters alleged, Mr. Leineweber and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts and a four (4) year probation. This Order sets forth the facts upon which the parties have agreed and the sanction to be imposed. Mr. Leineweber stipulates that there are sufficient facts contained in the Commission's files and records to support the findings of fact and conclusions of law set forth below. In entering into this stipulation, Mr. Leineweber waives the right to a hearing to contest the findings of fact, conclusion of law and order set forth below. Mr. Leineweber understands that the probation will be subject to specific terms and conditions.

1	Mr. Leineweber enters into this Stipulation of Facts with the knowledge that the
2	Commission shall place him on probation for a period of four (4) years. This Stipulation
3	is contingent upon approval and adoption of the Order by the full Commission. If the
4	Commission does not adopt this Order, neither Mr. Leineweber nor the Commission are
5	bound by these stipulations and Mr. Leineweber retains the right to a hearing on the
6	allegations.
7	STIPULATION OF FACTS
8	1. On August 6, 2003, Mr. Leineweber submitted an Application For Educator
9	License Form C-1 to the Commission requesting an Initial Teaching License. He
10	responded affirmatively to character questions 8 and 10.
11	2. On September 2, 2003, the Commission received an Application for
12	Expedited Service from Reynolds School District. On September 4, 2003, the
ß	Commission issued a letter of conditional authorization for public school service.
14	3. On July 27, 1990, Mr. Leineweber was arrested for Driving Under the
15	Influence of Intoxicants (DUII). The Court granted Mr. Leineweber a Diversion for DUII.

On July 27, 1990, Mr. Leineweber was arrested for Driving Under the Influence of Intoxicants (DUII). The Court granted Mr. Leineweber a Diversion for DUII. On August 27, 1991, Mr. Leineweber completed Diversion and the DUII charge was dismissed in the District Court for the State of Oregon, County of Multnomah.
 On August 17, 1996, Mr. Leineweber was arrested for DUII in Springfield,

16

17

21

22

- 4. On August 17, 1996, Mr. Leineweber was arrested for DUII in Springfield,
 Oregon. On October 24, 1996, Mr. Leineweber was convicted of DUII in the Municipal
 Court for the City of Springfield, Oregon.
 - 5. In 1997, Mr. Leineweber completed an alcohol treatment program at Providence Portland Medical Center.

1	6. On March 21 2002, Mr. Leineweber was arrested in San Jose, California, for		
	UNDER INFL/ALCOHOL/DRUGS. The court ordered Mr. Leineweber to attend 10		
3	Alcohol Anonymous meetings and dismissed the charge.		
4	7. Mr. Leineweber recognizes that he has an alcohol dependency problem and		
5	has agreed to seek treatment.		
6	IT IS SO STIPULATED:		
7 8	Peter James Leineweber 9-10-03 Date		
9 10 (11	Victoria Chamberlain, Executive Director G-09-03 Date		
12	Teacher Standards and Practices Commission		
13	CONCLUSIONS OF LAW		
	·		
14	Peter James Leineweber's alcohol related criminal conviction and criminal		
14	Peter James Leineweber's alcohol related criminal conviction and criminal conduct constitute Gross Unfitness as defined in OAR 584-020-0040(5)(c) and OAR		
14			
	conduct constitute Gross Unfitness as defined in OAR 584-020-0040(5)(c) and OAR		
16	conduct constitute Gross Unfitness as defined in OAR 584-020-0040(5)(c) and OAR 584-020-0040(5)(e). Criminal convictions and criminal conduct, even in the absence of		
16 17	conduct constitute Gross Unfitness as defined in OAR 584-020-0040(5)(c) and OAR 584-020-0040(5)(e). Criminal convictions and criminal conduct, even in the absence of conviction, may be used as evidence to establish an applicant's lack of fitness to serve		
16 17 18	conduct constitute Gross Unfitness as defined in OAR 584-020-0040(5)(c) and OAR 584-020-0040(5)(e). Criminal convictions and criminal conduct, even in the absence of conviction, may be used as evidence to establish an applicant's lack of fitness to serve as an educator pursuant to OAR 584-050-0006. The Commission's authority to impose		
16 17 18	conduct constitute Gross Unfitness as defined in OAR 584-020-0040(5)(c) and OAR 584-020-0040(5)(e). Criminal convictions and criminal conduct, even in the absence of conviction, may be used as evidence to establish an applicant's lack of fitness to serve as an educator pursuant to OAR 584-050-0006. The Commission's authority to impose discipline in this matter is based upon ORS 342.143 and ORS 342.175.		

ORDER

The Commission adopts the above stipulation of facts and authorizes the issuance of an Initial Teaching License to Mr. Leineweber subject to all standard terms and conditions.

Furthermore, the Commission imposes a four (4) year probation upon

Mr. Leineweber to commence the date of issuance of said license and subject to the
following special terms and conditions of probation:

- 1. Mr. Leineweber shall within the first six months of probation, on or before April 10, 2004, provide evidence that he has successfully completed an alcohol treatment program. Mr. Leineweber will also provide a copy of the treatment plan and aftercare plan as prescribed by the treatment provider;
- 2. Mr. Leineweber shall, at his own initiative and expense, continue to obtain treatment for his alcohol dependency as recommended by his alcohol treatment provider and abstain from the consumption of alcohol;
- 3. During the period of his probation, Mr. Leineweber shall submit to the Executive Director of the Commission reports of his compliance with the aftercare treatment plan. Mr. Leineweber shall provide these reports every six (6) months during his probation, on or before: October 10, 2004; April 10, 2005; October 10, 2005; April 10, 2006; October 10, 2006; April 10, 2007; and October 10, 2007.
 - 4. Mr. Leineweber shall conduct himself as a law-abiding citizen;
- 5. Mr. Leineweber shall report in writing within ten days to the Executive Director of the Commission any arrest or citation for any felony, misdemeanor, major traffic violation or violation of criminal probation; and

١	o. Wir. Leineweber Shall comply with the Standards for Competent and Ethicar
	Performance of Oregon Educators under Oregon Administrative Rules Chapter 584,
3	Division 020.
4	Violation of any term or condition of probation shall constitute an independent
5	basis for the Commission to revoke Mr. Leineweber's teaching license or otherwise
6	impose discipline, after first providing Mr. Leineweber with notice and opportunity for
7	hearing.
8	IT IS SO ORDERED this day of October 2003.
9	TEACHER STANDARDS AND PRACTICES COMMISSION
10	
11	By Michoud Namberlain
12	Victoria Chamberlain, Executive Director 10909031