1 2	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
3	
4 5	J. DEFROIT ORDER OF
6	PETER PAUL LUCAS) REVOCATION OF LICENSURE
7) HCLINGURE
8 9	On August 26, 2016, the Teacher Standards and Practices Commission (Commission)
10	issued a Notice of Opportunity for Hearing to Peter Paul Lucas (Lucas) in which the
11	Commission charged him with Gross Neglect of Duty and Gross Unfitness. The Notice was
12	sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7015 3010 0002 3171 1132 to
13	
14	the address on file with the Commission. The Notice designated the Commission file as the
	record for purposes of proving a prima facie case. The Certified Mail receipt was returned
15	signed to the Commission. The first class mail was not returned to the Commission. The
16	Notice of Opportunity of Hearing, dated August 26, 2016, and signed by Dr. Monica Beane,
17	Executive Director, stated:
18 19	"IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY
20	PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR
21	REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF YOU
22	FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER
23 24	OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."
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26	Lucas did not request a hearing. The Commission, therefore, finds Lucas to be in default and
27	enters the following findings of fact, conclusions of law, and final order, based on the files
28	and records of the Commission concerning this matter.
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30	FINDINGS OF FACT
31	1. Lucas been licensed as a teacher in Oregon since August 28, 1980. Lucas currently holds
32	a Standard Teaching License, with an endorsement in Standard Physical Education
33	(018), valid September 19, 2012, through September 18, 2017. During all relevant times,
34	Lucas was employed by the Klamath County School District.
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36	2. On March 23, 2015, the Commission received a report from the superintendent of
37	Klamath County School District alleging that Lucas had committed one or more

designated acts of gross neglect or gross unfitness for duty by directing students to 'dog 1 pile' on a student. While the student was in the dog pile, Lucas put his shoe in the face of 2 3 the student and told the student to, 'smell the dog shit' on Lucas' foot. 4 On April 1, 2015, Lucas was arrested. On April 15, 2015, Lucas plead not guilty to two 5 3. counts of Official Misconduct in the First Degree and one count of Harassment. The 6 conduct that lead to Lucas' arrest, charges, and ultimately a diversion agreement 7 included the following: On or about March 6, 2015, Lucas encouraged a group of 8 students to "dog pile" on another student (EJ) who was unable to complete his required 9 laps around the track. Students who dogpiled on EJ reportedly also pulled EJ's 10 underwear upwards, and one student placed his crotch on or near EJ's face. Towards the 11 end of the dog-pile, Lucas approached the pile, placed his foot near EJ's face and stated 12 something to the effect of "Here, smell my shoe, I just stepped in dog shit". 13 14 4. On April 22, 2015, Lucas resigned his employment from the Klamath County School 15 16 District.

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On March 14, 2016, Lucas signed a diversion agreement with the District Attorney's Office. The conditions set prior to diversion included a \$200 pre-payment of diversion fees; a waiver of rights; the destruction of all evidence; and admissions of guilt (pleas of no contest to all charges). The conditions set during diversion included payment of diversion fees; forty hours of community service; anger management treatment; no contact with victim; no entry to Mazama High School; restitution; provide a written apology to the student and his family; and if requested, a personal apology. Also, as part of the diversion agreement was a condition for Lucas to forever relinquish his current TSPC license(s) and not to apply for any TSPC license(s) in the future.

CONCLUSIONS OF LAW

Lucas's conduct described above constitutes gross neglect of duty in in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(1) (Recognize the worth and dignity of all persons and respect for each individual), OAR 584-020-0010(5) (Use professional judgment); OAR 584-020-0040(4)(0) as it incorporates

1	OAR 584-020-0035(3)(a) (Maintain the dignity of the profession by respecting and
2	obeying the law, exemplifying personal integrity and honesty), OAR 584-020-
3	0035(1)(c)(D)(Honoring appropriate adult boundaries with students in conduct and
4	conversation at all times); and OAR 584-020-0040(4)(d) (Unreasonable physical force
5	against students, fellow employees, or visitors to the school, except as permitted under
6	ORS 339.250). This conduct also constitutes gross unfitness in violation of ORS
7	342.175(1)(c); OAR 584-020-0040(5)(e) (Admission of or engaging in acts constituting
8	criminal conduct, even in the absence of a conviction).
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10	The Commission's authority to impose discipline in this matter is based upon ORS
11	342.175.
12	FINAL ORDER
13	The Commission hereby revokes Peter Paul Lucas' Oregon educator license.
14	IT IS SO ORDERED THIS 30 day of September, 2016.
15	TEACHER STANDARDS AND PRACTICES COMMISSION
	Morina Reams
16 17	By: Morica Gene Dr. Monica Beane, Executive Director
l 7	Dr. Monica Beane, Executive Director
19	NOTICE OF APPEAL OR RIGHTS
20 21	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW
22	MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM
23 24	THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE
.+	PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.

CERTIFICATE OF MAILING

I hereby certify that I served the foregoing notice of final order, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

Peter Paul Lucas 32154 Modoc Point Rd Chiloquin, OR 97624

Dated this _____day of September, 2016.

Patty Sheldon

Investigative Assistant

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