

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

3 In the Matter of the Teaching and)
4 Personnel Service License of)
5 PETER SUSI) STIPULATION AND ORDER
6

7 On May 18, 2000, the Teacher Standards and Practices Commission (Commission)
8 issued a Notice of Opportunity for Hearing to Peter Susi in which the Commission charged
9 Mr. Susi with misconduct by having sexual contact with a 16-year old student. The
10 Commission proposed to suspend, revoke or otherwise impose discipline as provided under
11 ORS 342.177. Mr. Susi requested a hearing. The parties have now reviewed the matters
12 alleged in the notice and have agreed that their respective interests, together with the public
13 interest, are best served by a stipulation to certain facts and an order revoking Mr. Susi's right
14 to apply for reinstatement of his teaching license. In entering this stipulation, Mr. Susi
15 waives his right to a hearing.

16 This stipulation and order is contingent upon approval by the Commission at its next
17 scheduled meeting. If the Commission does not approve this stipulation and order, the matter
18 shall be scheduled for a hearing, and neither Mr. Susi nor the Commission shall be bound by
19 any matters contained in this stipulation and order.

20 **STIPULATION AND FINDINGS OF FACT**

21 1. Mr. Susi held a basic teaching license from approximately 1985 until
22 September 19, 1997, when his license expired. He held a basic personnel service license
23 from approximately June 1996 until July 9, 1999, when that license was suspended based on
24 Mr. Susi's resignation from a teaching contract in violation of ORS 342.553. Mr. Susi does
25 not currently hold a teaching or personnel service license.

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1 2. Mr. Susi was employed as a teacher for the Pendleton School District from
2 1986 to 1995 and as a school counselor for the Athena-Weston School District from August
3 1995 until March 30, 1999.

4 3. In about October or November 1998, Mr. Susi placed an ad on an internet web
5 site, indicating he was seeking a female for a sexual relationship. There is no evidence that
6 Mr. Susi used a school district computer or equipment for this purpose.

7 4. In January 1998, a 15-year old student of another school district, referred to
8 herein as TP, responded to Mr. Susi's electronic message. TP told Mr. Susi that she was age
9 17. Mr. Susi did not pursue the matter at that time because of his understanding that TP was
10 a minor. In March 1998, TP again contacted Mr. Susi via the internet and informed him that
11 she had just celebrated her 18th birthday. Based on this information, Mr. Susi and TP
12 arranged to have a personal meeting.

13 5. Mr. Susi and TP met in Hermiston during the school spring vacation on March
14 23, 1998. Susi and TP went to a park together where they had sexual contact.

15 6. Mr. Susi and TP were observed together by an Oregon State Police Officer.
16 Mr. Susi admitted to the officer that he and TP had been engaging in sexual activity.
17 Subsequently, Mr. Susi was charged with Sex Abuse in the Third Degree. Following a trial
18 to a judge in Umatilla County Circuit Court, Mr. Susi was acquitted of all charges on January
19 12, 2000. The basis for the acquittal was the judge's finding that Mr. Susi had a reasonable
20 belief that TP was age 18 at the time of the event.

21 7. Aside from what TP told him, Mr. Susi made no effort to verify independently
22 whether TP was in fact age 18 years old and whether she was a student. TP was never his
23 student.

24 8. Mr. Susi acknowledges that he used extremely poor professional judgment in
25 this matter. Mr. Susi cooperated fully in the Commission's investigation.

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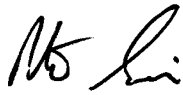
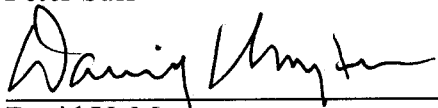
1 9. Mr. Susi maintains and the Commission finds by a preponderance of the
2 evidence that Susi believed at the time that TP was 18 years of age.

3 **CONCLUSIONS OF LAW**

4 1. Mr. Susi violated OAR 584-020-0010(5) by using poor professional judgment
5 when he arranged a sexual liaison through the internet with a very young woman without
6 taking reasonable steps to ascertain whether the young woman was of legal age and whether
7 the young woman may have been a student.

8 2. Mr. Susi violated OAR 584-020-0040(4)(f) by engaging in sexual conduct
9 with a 16-year old student.

10 IT IS SO STIPULATED:

11 
12 _____ Date 9-5-00
13 Peter Susi
14 
15 _____ Date 9/28/00
16 David V. Myton
17 Executive Director

16 **DISCUSSION**

17 Although the Commission does not find by a preponderance of the evidence that Mr.
18 Susi knowingly engaged in sexual conduct with a person under the age of 18, his actions
19 were very probably damaging to the young person and reflected very poorly on Mr. Susi's
20 role as a school counselor. His actions also had a negative effect on the public image of the
21 school and the teaching profession.

22 Mr. Susi was acquitted of the crime of Sexual Abuse in the Third Degree. If he had
23 been convicted of that crime, the result would have been a permanent revocation of his
24 Oregon Teaching Licenses under ORS 342.175(1)(a). Under ORS 342.175(3), Mr. Susi will
25 have the right to apply for reinstatement of his Oregon Teaching License or his Oregon
26 Personnel Service License after one year from the date of this order. Without interfering with

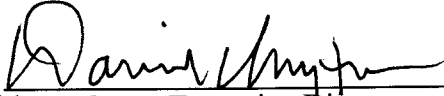
1 the discretion of the Commissioners who would consider any application for reinstatement
2 and without making specific assurances to Mr. Susi, the Commission would expect at a
3 minimum that Mr. Susi would demonstrate through a qualified professional that he presents
4 no danger to students, and that there is a high probability that he would not engage in similar
5 misconduct or other unprofessional conduct in the future.

6 **ORDER**

7 The right of Peter Susi to apply for reinstatement of his Oregon Teaching License or
8 his Oregon Personnel Service License is hereby revoked.

9 DATED this 28th day of September 2000.

10 TEACHER STANDARDS AND PRACTICES COMMISSION

11 By: 
12 David V. Myton, Executive Director

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