1 BEFORE THE TEACHIS STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON 3 In the Matter of the STIPULATION OF FACTS 4 Teaching License of AND 5 JOSEPH JOHN KANACH FINAL ORDER OF REPRIMAND) 6 On September 18, 2008, the Teacher Standards and Practices Commission (Commission) 7 received a report from Nancy Golden, Superintendent, Springfield Public Schools, reporting that 8 Kanach accessed school forms and contacts to obtain a personal drug screen under the guise of his 9 employment with the District. 10 Mr. Kanach fully cooperated with the Commission's investigation. After review of the matters 11 alleged, Mr. Kanach and the Commission agree that their respective interests, together with the public 12 interest, are best served by a stipulation to certain facts and a public reprimand. 13 This document sets forth the facts upon which the parties have agreed and the stipulated 14 sanction to be imposed. Mr. Kanach stipulates that there is sufficient evidence in the Commission's 15 files and records to support the findings of fact, conclusions of law, and order set forth below. 16 By signing below, Mr. Kanach acknowledges, understands, stipulates, and agrees to the 17 following: (i) he has been fully advised of his rights to notice and a hearing to contest the findings of 18 fact, conclusions of law, and order set forth below, and fully and finally waives all such rights and any 19 rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Reprimand 20 (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to 21 the public upon request by the Commission; (iii) this Stipulation and Final Order is contingent upon 22 and subject to approval and adoption by the Commission. If the Commission does not approve and 23 adopt this Stipulation and Final Order, then neither Mr. Kanach nor the Commission are bound by the 24 terms herein; (iv) he has fully read this Stipulation and Final Order, and understands it completely; (v) 25 he voluntarily, without any force or duress, enters into this Stipulation and Final Order and consents to 26 issuance and entry of the Stipulated Final Order below; (vi) he states that no promises or 27 representation has been made to induce him to sign this Stipulation and Final Order; and (vii) he has 28 consulted with an attorney regarding this Stipulation and Final Order and has been fully advised with

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1 regard to his rights thereto, or waives any and all rights to consult with an attorney prior to entering 2 into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order below. This 3 Order sets forth the facts upon which the parties have agreed and the sanction to be imposed. Mr. 4 Kanach stipulates that there are sufficient facts contained in the Commission's files and records to 5 support the findings of fact and conclusions of law set forth below. In entering into this stipulation, Mr. 6 Kanach waives the right to a hearing to contest the findings of fact, conclusions of law and order set 7 forth below. 8 STIPULATION OF FACTS 9 1. The Commission has licensed Mr. Kanach since May 13, 2005. Mr. Kanach currently holds 10 an Initial I Teaching License valid May 14, 2008 through November 14, 2011, with endorsements in 11 basic Mathematics and Biology, authorized to teach middle level and high school. 12 2. In the course of a domestic dissolution Mr. Kanach's honesty with regard to substance use 13 was questioned. 14 3. Knowing that his employing school district contracted for drug testing, Mr. Kanach 15 contacted the laboratory to test a urine sample. Mr. Kanach thought this would be the most expedient 16 means for obtaining the results of a urinalysis. 17 4. Mr. Kanach contacted the laboratory under the guise of a school counselor interested in the 18 process students went through when sent for drug testing. 19 5. After arriving at the laboratory Mr. Kanach learned that the results would be sent to his 20 employer and not to him directly. Mr. Kanach then dipped the testing cup into the toilet, producing a 21 "cold" sample that could not be tested. 22 111 23 111 24 III25 111 26 111

1	6. The Springfield Public School District learned of this incident from the laboratory and placed
2	Mr. Kanach on administrative leave. Mr. Kanach resigned from the district on September 13, 2007.
3	IT IS SO STIPULATED AND AGREED TO:
4	3-30-09
5 6	Joseph John Kanach Date
7 8 9	Victoria Chamberlain, Executive Director Teacher Standards and Practices Commission
1	CONCLUSIONS OF LAW
2	Jospeh John Kanach made several false representations to obtain a drug screening though a
3	service utilized by his employer Springfield Public Schools. This conduct constitutes Gross Neglect o
4	Duty in violation of OAR 584-020-0040(4)(c) and OAR 584-020-0040(4)(n) as it incorporates OAR
5	584-020-0010(5). The Commission has the authority to impose discipline in this matter under ORS
6	342.120 through 342.430 and OAR Chapter 584.
7	FINAL ORDER
8	The Commission adopts and incorporates herein the above finding of facts, conclusions of
9	law, and based thereon, imposes a Public Reprimand on Joseph John Kanach. This Order shall
20	serve as the Public Reprimand.
21	Issued and dated this day of May, 2009.
22	TEACHIS STANDARDS AND PRACTICES COMMISSION STATE OF OREGON
24 25 26	By Mambulain Victoria Chamberlain, Executive Director

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