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BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION SEP 02 2015

OF THE STATE OF OREGON

Teacher Standards &
Practices Commission

In the Matter of the)	STIPULATION OF FACTS AND
Educator License of)	FINAL ORDER OF REVOCATION
PETER JEFFREY MABRY)	

On October 4, 2013, the Teacher Standards and Practices Commission (Commission) received a report from the administration of the Astoria School District (District) indicating licensed educator Peter Mabry may have committed acts which constitute gross neglect of duty.

After review of the matters alleged, Mabry and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts, and the revocation of Mabry's license.

This document sets forth the facts upon which the parties have agreed and the stipulated sanction to be imposed. Mabry stipulates that there is sufficient evidence in the Commission's files and records to support the findings of fact, conclusions of law, and order set forth below.

By signing below, Mabry acknowledges, understands, stipulates, and agrees to the following: (i) he has been fully advised of his rights to notice and a hearing to contest the findings of fact, conclusions of law, and order set forth below, and fully and finally waives all such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Revocation (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to the public upon request by the Commission; (iii) this Stipulation and Final Order is contingent upon and subject to approval and adoption by the Commission. If the Commission does not approve and adopt this Stipulation and Final Order, then neither Mabry nor the Commission are bound by the terms herein; (iv) he has fully read this Stipulation and Final Order, and understands it completely; (v) he voluntarily, without any force or duress, enters into this Stipulation and Final Order and consents to issuance and entry of the Stipulated Final Order below; (vi) he states that no promises or representation has been made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an attorney regarding this Stipulation and Final Order and has been fully advised with regard to his

1 rights thereto, or waives any and all rights to consult with an attorney prior to entering into this
2 Stipulation and Final Order and issuance and entry of the Stipulated Final Order below. In
3 entering into this stipulation, Mabry waives the right to a hearing to contest the findings of fact,
4 conclusions of law and order set forth below.

5 **STIPULATION OF FACTS**

6 1) The Commission has licensed Mabry since July 26, 1999. Mabry currently holds an Initial II
7 Teaching License issued July 6, 2012, with an endorsement in Biology (HS), which expires
8 on September 5, 2015. During all relevant times, Mabry were employed by the Astoria
9 School District.

10 2) On October 4, 2013, the Commission received a report from the administration of the
11 Astoria School District indicating Mabry may have committed acts which constitute gross
12 neglect of duty. The report stated local police conducted an investigation into allegations
13 that Mabry had an inappropriate sexual relationship with a student on or about March of
14 2004. Police and Commission investigations determined that during the 2003 – 2004
15 school year:

16 a) Mabry exchanged inappropriate communications with a 17 year old, female student HS
17 via a computer instant message system. These occurred outside of school hours and
18 included personal, non-school matters.

19 b) Mabry spent time alone with HS in his classroom. Mabry met with the student in
20 person, outside of school, and engaged in inappropriate physical contact, which included
21 intimate touching, kissing and Mabry performing oral sex on HS.

22 c) Mabry allowed HS to reside in his home under the pretense that she would help care for
23 you while you recovered from an ankle injury. Mabry's wife and family were out of the
24 country for several months during this time. On or about March of 2004, Mabry and HS
25 engaged in sexual intercourse while she resided in Mabry's residence. Mabry and HS
26 had an ongoing sexual relationship after March 4, 2004. HS turned 18 on March 3,

1 2004, graduated from high school on June 5, 2004, and she moved out of Mabry's
2 residence on June 6, 2004, to accept a summer sailing employment opportunity.

3 IT IS SO STIPULATED:

4 Peter Jeffrey Mabry
5 Peter Jeffrey Mabry

4/27/15
Date

6 Victoria Chamberlain
7 Victoria Chamberlain, Executive Director
8 Teacher Standards and Practices Commission

9-8-15
Date

9 **CONCLUSIONS OF LAW**

10 Peter Jeffrey Mabry engaged in unprofessional conduct as described above. This conduct
11 constitutes Gross Neglect of Duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n)
12 as it incorporates OAR 584-020-0010(5) (*Use professional judgment*); OAR 584-020-
13 0040(4)(o) as is incorporates OAR 584-020-0035(1)(c)(A) (*Not demonstrating or expressing*
14 *professionally inappropriate interest in a student's personal life*), OAR 584-020-0035(1)(c)(B)
15 (*Not accepting or giving or exchanging romantic or overly personal gifts or notes with a*
16 *student*), OAR 584-020-0035(1)(c)(D) (*Honoring appropriate adult boundaries with students*
17 *in conduct and conversation at all times*), and OAR 584-020-0040(4)(f) (*Any sexual conduct*
18 *with a student*).

19 The Commission's authority to impose discipline in this matter is based upon ORS
20 342.175.

21 **ORDER**

22 The Commission adopts the above Stipulation of Facts, and revokes Peter Jeffrey
23 Mabry's educator license.

24 IT IS SO ORDERED this 10th day of November, 2015.

25 TEACHER STANDARDS AND PRACTICES COMMISSION

26 Victoria Chamberlain
27 By: Victoria Chamberlain, Executive Director
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