

1 161.405(2)(e); i.e. Patronize a Prostitute, (ORS 167.008), charged as a class B
2 misdemeanor. Kanealey was sentenced to five days in jail.

- 3 3. Kanealey's conviction arose from allegations that included Kanealey attempting to
4 pay a fee, and / or trade drugs (methamphetamine) to engage in sexual activity. On
5 or about May 1, 2014, unknown to Kanealey at the time, Kanealey contacted a private
6 "sting" operation called EPIK from an advertisement in a publication known for
7 being used to promote prostitution. EPIK members referred Kanealey's inquiry to
8 law enforcement. On May 9, 2014, law enforcement interviewed Kanealey. Kanealey
9 admitted to police that he frequently used backpage.com and his registration at "TnA
10 Board" to seek prostitutes. Kanealey told police he would meet with the "escort" he
11 contacted and exchange around \$140 – \$150 dollars for sex. On or about January 22,
12 2015, Kanealey was investigated again for possible prostitution related crimes. Police
13 reports indicate that Kanealey had repeatedly employed a prostitute(s), exchanging
14 money and /or methamphetamine for sexual activities. During Kanealey's interview
15 with police, Kanealey also admitted to having a drug problem, smoking
16 methamphetamine. Kanealey was arrested for two counts of Patronizing a Prostitute.

17 CONCLUSIONS OF LAW

18 Kanealey's convictions constitutes gross neglect of duty in violation of ORS
19 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use*
20 *professional judgment*); OAR 584-020-0040(1)(ll) (*ORS 167.008 – Patronizing A*
21 *Prostitute*). This conduct also constitutes gross unfitness in violation of ORS
22 342.175(1)(c); OAR 584-020-0040(5)(c) (*Conviction of violating any federal, state, or*
23 *local law. A conviction includes any final judgment of conviction by a court whether as*
24 *the result of guilty plea, no contest plea or any other means*); OAR 584-020-
25 0040(5)(d) (*Commission of an act listed in OAR 584-020-0040(1)*); and OAR 584-020-
26 0040(5)(e) (*Admission of or engaging in acts constituting criminal conduct, even in*
27 *the absence of a conviction*).
28

29 Pursuant to ORS 342.175(3) and OAR 584-020-0040(1) the Teacher Standards
30 and Practices Commission must revoke Kanealey's license and Kanealey's right to apply
31 for a license based on his conviction of any of the crimes listed in ORS 342.143(3)(a), or

1 the substantial equivalent of any of those crimes.

2
3 Furthermore, the conduct underlying Kanealey's indictments and conviction
4 constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-
5 0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*); OAR
6 584-020-0040(4)(k) (Violation of any order or rule of the Commission); and OAR 584-
7 020-0040(4)(o) as it incorporates OAR 584-020-0035(3)(a) (Maintain the dignity of the
8 profession by respecting and obeying the law, exemplifying personal integrity and
9 honesty). Additionally, your conviction and conduct related to your conviction
10 constitute "gross unfitness" in violation of ORS 342.175(1)(c); OAR 584-020-0040(3)(a)
11 and (d) as defined by OAR 584-020-0040 (5) ("Gross unfitness is any conduct which
12 renders an educator unqualified to perform his or her professional responsibilities").
13 The Commission's authority to impose discipline in this matter is based upon ORS
14 342.175.

15 **FINAL ORDER**

16 The Commission hereby revokes Patrick Michael Kanealey's educator license and
17 revokes his right to apply for an educator license.

18 IT IS SO ORDERED THIS 23rd day of May, 20 16.

19 TEACHER STANDARDS AND PRACTICES COMMISSION

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21 

22 By: _____
23 Victoria Chamberlain, Executive Director
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27 **NOTICE OF APPEAL OR RIGHTS**

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29 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
30 BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE
31 SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF
32 ORS 183.482 TO THE OREGON COURT OF APPEALS.