1 2 3	BEFORE THE TEACHIS STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
5 4 5 6 7 8	In the Matter of the)STIPULATION OF FACTSEducator License of)AND FINAL ORDER OFWILLADO PENAGUIRRE;)PUBLIC REPRIMAND(AKA "WILL PENA"))AND PROBATION
9	On February 10, 2021, the Teacher Standards and Practices Commission
10	(Commission) received a report from the Oregon Department of Human Services (DHS)
11	indicating Willado Penaguirre (Penaguirre) may have committed acts of gross neglect of
12	duty and/or gross unfitness.
13	After review of the matters alleged, Penaguirre and the Commission agree that
14	their respective interests, together with the public interest, are best served by a
15	stipulation to certain facts, and the imposition of a public reprimand of Penaguirre's
16	Oregon educator license, and a four (4) year period of probation.
17	This Order sets forth the facts upon which the parties have agreed and the
18	sanction to be imposed. Penaguirre stipulates that there are sufficient facts contained in
19	the Commission's files and records to support the findings of fact and conclusions of law
20	set forth below. In entering into this stipulation, Penaguirre waives the right to a hearing
21	to contest the findings of fact, conclusions of law and order set forth below.
22	By signing below, Penaguirre acknowledges, understands, stipulates, and agrees
23	to the following: (i) he has been fully advised of his rights to notice and a hearing to
24	contest the findings of fact, conclusions of law, and order set forth below, and fully and
25	finally waives all such rights and any rights to appeal or otherwise challenge this
26	Stipulation of Facts and Final Order of Public Reprimand and Probation (Stipulation and
27	Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to
28	the public upon request by the Commission; (iii) this Stipulation and Final Order is
29	contingent upon and subject to approval and adoption by the Commission. If the
30	Commission does not approve and adopt this Stipulation and Final Order, then neither
31	Penaguirre nor the Commission are bound by the terms herein; (iv) he has fully read this
32	Stipulation and Final Order, and understands it completely; (v) he voluntarily, without
33	any force or duress, enters into this Stipulation and Final Order and consents to issuance
34	and entry of the Stipulated Final Order below; (vi) he states that no promise or
35	representation has been made to induce him to sign this Stipulation and Final Order;
36	and (vii) he has consulted with an attorney regarding this Stipulation and Final Order
37	and has been fully advised with regard to his rights thereto, or waives any and all rights

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1 to consult with an attorney prior to entering into this Stipulation and Final Order and 2 issuance and entry of the Stipulated Final Order below. 3 4 STIPULATION OF FACTS 5 1. The Commission has licensed Penaguirre since February 4, 2009. Penaguirre held a Preliminary Teaching License, with an endorsement in Elementary -6 7 Multiple Subjects (PK-12), valid from November 9, 2018, through December 27, 8 2021. On August 27, 2021, Penaguirre submitted an application for renewal of his 9 Oregon educator license. The expiration of Penaguirre's Preliminary Teaching License was stayed pending the final outcome of the investigation. During all 10 11 relevant times, Penaguirre was employed by the Woodburn School District 12 (WSD). 13 2. On February 10, 2021, the Commission received information from the Oregon's 14 DHS indicating Penaguirre may have committed acts which constitute gross 15 neglect of duty and/or gross unfitness. 3. The Commission investigation determined that at the start of the 2011-12 school 16 17 year, Penaguirre first met LS, a female, second-grade student, at Lincoln 18 Elementary School, WSD, when she was assigned approximately forty-five (45) 19 minutes per day to his classroom as part of a dual-language program focusing on 20 Spanish and English. LS was assigned full-time to Penaguirre's classroom in the 21 third and fifth grades (2012-13 and 2014-15 school years). LS was assigned to Penaguirre's class in fourth grade (2013-2014 school year) for approximately 22 23 forty-five (45) minutes per day. 4. During the period from 2011 to 2015, Penaguirre developed a professional and 24 personal relationship with LS, her siblings, and her parents. Penaguirre gave LS 25 26 gifts which included a laptop computer that Penaguirre refurbished, books, a 27 water bottle, and assorted arts and crafts supplies. At the invitation of LS's parents, Penaguirre visited LS's home on several occasions without the 28 knowledge or approval of school administrators. Penaguirre requested the school 29 30 assign LS's younger sibling to his Spanish class, approximately forty-five (45) minutes per day, in recognition of her advanced level of proficiency in Spanish. 31 5. After LS left Lincoln Elementary school, Penaguirre continued to maintain a 32 33 relationship with LS and her family. At LS's parents' invitation, Penaguirre 34 attended middle school plays which LS participated in. In response to LS's

1	parents' communications, Penaguirre communicated with the family by written
2	correspondence and texts. When invited by LS's parents, Penaguirre continued
3	visiting LS's home while LS and her family were in Woodburn, and after the
4	family moved to Wilsonville.
5	6. Penaguirre provided statements to the Commission from former and current
6	administration and educational staff at Lincoln Elementary School indicating a
7	there was a culture of some staff at the school of supporting and interacting with
8	students and families outside of the school setting. This was demonstrated by
9	attending the students' extracurricular events and donating clothes, books, and
10	school supplies to the students. Penaguirre also provided evidence in the
11	Commission's investigation that he had refurbished over a dozen computers and
12	provided them to other teachers and students in the district, and he did not single
13	out LS for a computer.
14	
15	IT IS SO STIPULATED
16	03/01/2023
17 18	$\frac{0310(12023)}{\text{Date}}$
19	J.J.J. Panalin, 03/21/2023
20 21	Trent Danowski, Deputy Director Date
22	Teacher Standards and Practices Commission
23	
24	CONCLUSION OF LAW
25	The conduct described in paragraph four (4) above constitutes gross neglect of
26	duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR
27	584-020-0010(5) (<i>Use professional judgment</i>), and OAR 584-020-0040(4)(0) as it
28	incorporates OAR 584-020-0035(1)(c)(A) (Not demonstrating or expressing
29	professionally inappropriate interest in a student's personal life), and OAR 584-020-
30	0035(1)(c)(D) (Honoring appropriate adult boundaries with students in conduct and
31	conversations at all times).
32	The conduct described in paragraph five (5) above constitutes gross neglect of
33	duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR
34	584-020-0010(5) (<i>Use professional judgment</i>); and OAR 584-020-0040(4)(0) as it
35	incorporates OAR 584-020-0035(1)(c)(A) (Not demonstrating or expressing
36	professionally inappropriate interest in a student's personal life), and OAR 584-020-

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1	0035(1)(c)(D) (Honoring appropriate adult boundaries with students in conduct and
2	conversations at all times).
3	The Commission's authority to impose discipline in this matter is based upon
4	ORS 342.175.
5	
6	ORDER
7	The Commission adopts and incorporates herein the above findings of fact and
8	conclusions of law, and based thereon, imposes a public reprimand upon Willado
9	Penaguirre's Oregon educator license.
10	Furthermore, the Commission imposes a period of four (4) years of probation
11	upon Penaguirre's licensure to commence upon renewal of Penaguirre's Oregon educator
12	License and subject to the following conditions:
13	1. Penaguirre shall comply with the Standards for Competent and Ethical
14	Performance of Oregon Educators under Oregon Administrative Rules Chapter
15	584, Division 020.
16	2. Within the first six (6) months of the probation period, Penaguirre shall
17	successfully complete a Commission approved training course on
18	teacher/student boundaries and provide the Commission a written record of this.
19	3. Within the first year of the probation period, Penaguirre shall successfully
20	complete a Commission approved training course managing at-risk students and
21	provide the Commission a written record of this.
22	Issued and dated this <u>day of April, 2023</u> .
23	Issued and dated this day of April, 2023.
24 25 26 27 28 29 30 31	TEACHER STANDARDS AND PRACTICES COMMISSION STATE OF OREGON By
32 33	NOTICE OF APPEAL OR RIGHTS
34 35 36 37	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.

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