

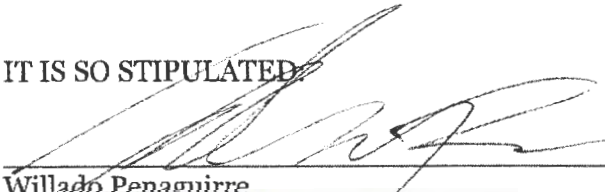
1 to consult with an attorney prior to entering into this Stipulation and Final Order and
2 issuance and entry of the Stipulated Final Order below.

3
4 **STIPULATION OF FACTS**

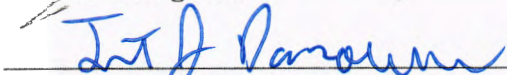
- 5 1. The Commission has licensed Penaguirre since February 4, 2009. Penaguirre
6 held a Preliminary Teaching License, with an endorsement in Elementary –
7 Multiple Subjects (PK-12), valid from November 9, 2018, through December 27,
8 2021. On August 27, 2021, Penaguirre submitted an application for renewal of his
9 Oregon educator license. The expiration of Penaguirre’s Preliminary Teaching
10 License was stayed pending the final outcome of the investigation. During all
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.
- 16 3. The Commission investigation determined that at the start of the 2011-12 school
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
22 Penaguirre’s class in fourth grade (2013-2014 school year) for approximately
23 forty-five (45) minutes per day.
- 24 4. During the period from 2011 to 2015, Penaguirre developed a professional and
25 personal relationship with LS, her siblings, and her parents. Penaguirre gave LS
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
28 parents, Penaguirre visited LS’s home on several occasions without the
29 knowledge or approval of school administrators. Penaguirre requested the school
30 assign LS’s younger sibling to his Spanish class, approximately forty-five (45)
31 minutes per day, in recognition of her advanced level of proficiency in Spanish.
- 32 5. After LS left Lincoln Elementary school, Penaguirre continued to maintain a
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 
17 _____
18 Willado Penaguirre

03/01/2023
Date

19 
20 _____
21 Trent Danowski, Deputy Director
22 Teacher Standards and Practices Commission

03/21/2023
Date

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) (*Use professional judgment*), and OAR 584-020-0040(4)(o) 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) (*Use professional judgment*); and OAR 584-020-0040(4)(o) 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-

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
23 Issued and dated this 7 day of April, 2023.

24
25 **TEACHER STANDARDS AND PRACTICES COMMISSION**
26 **STATE OF OREGON**

27
28
29
30 By 

31 Dr. Anthony Rosilez, Executive Director

32 **NOTICE OF APPEAL OR RIGHTS**
33

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