

1 from January 31, 2017 through January 30, 2020. During all relevant times,
2 Schillinger was employed by the Harney County School District (HCSD).

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- 4 2. On October 19, 2017, the Commission received a report from the HCSD indicating
5 Schillinger may have committed acts which constitute gross neglect of duty.
6 Specifically, Schillinger used his school computer and internet to search for and view
7 sexually explicit images.
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 - 9 3. Investigation determined that between the dates of August 14, 2017 and October 9,
10 2017, Schillinger spent the majority of his work time searching and viewing sexually
11 explicit photos and videos on his school computer while accessing the district's
12 internet. Forensic review indicated Schillinger spent hours each day, often while
13 students were present in his classroom, searching and viewing sexually explicit
14 materials. Schillinger would close down or switch screens on his computer whenever
15 a student approached him, and it is believed that no students were exposed to
16 Schillinger's viewing materials. Students did report suspicions that Schillinger was
17 doing something inappropriate based on how Schillinger reacted when they
18 approached him.

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20 When interviewed, Schillinger cooperated and advised that he believed he spent
21 approximately 2 to 3 hours a day engaged in these activities while he should have
22 been working. Schillinger explained that his personal computer was broken, and he
23 was conducting these searches as part of a side job Schillinger had, creating artwork
24 projects. It also came to light that Schillinger had been banned by the local public
25 library for searching and viewing similar materials there. Furthermore, that after
26 Schillinger was banned from the library, he began parking his vehicle near the
27 library, placing a towel in his vehicle's window to block the view of outsiders, and
28 continued to search and view these materials using the library's internet Wi-Fi
29 connection. On October 19, 2017, HCSD terminated Schillinger's employment for
30 violations of their Staff Computer Acceptable Use Policy.

1 **CONCLUSIONS OF LAW**

2 Thomas Schillinger’s conduct described in sections two (2) and three (3) above,
3 constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-
4 020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional*
5 *judgment*); OAR 584-020-0025(2)(e) (*Using district lawful and reasonable*
6 *rules and regulations*); OAR 584-020-0040(4)(b) (*Substantial unauthorized use*
7 *of employment time or school resources for private purposes*); OAR 584-020-
8 0040(4)(q) (*Unauthorized use of school computer equipment to receive, store,*
9 *produce or send sexually explicit materials*); and OAR 584-020-0040(o) as it
10 incorporates OAR 584-020-0035(2)(e) (*Not use the district's or school's name,*
11 *property, or resources for non-educational benefit or purposes without*
12 *approval of the educator's supervisor or the appointing authority*).

13 The Commission’s authority to impose discipline in this matter is based
14 upon ORS 342.175.

15 **FINAL ORDER**

16 The Commission hereby revokes Thomas Schillinger’s Educator license.
17 IT IS SO ORDERED THIS 9th day of August, 2019.

18 TEACHER STANDARDS AND PRACTICES COMMISSION

19 By: Anthony J. Rosilez

20 Dr. Anthony Rosilez, Executive Director

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24 **NOTICE OF APPEAL OR RIGHTS**

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