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- 2 3. Law enforcement investigation determined that between March 5, 2020, and August
- 3 25, 2020, for the purposes of arousing or gratifying Andry's sexual desire, Andry
- 4 knowingly used online communications to solicit who he thought was a minor to
- 5 engage in sexual contact or sexually explicit conduct and agreed to meet or offered to
- 6 meet the minor. It was also determined during the same time period, Andry knowingly
- 7 furnished to a person he thought was a minor, visual representations, an explicit verbal
- 8 description and/or a narrative account of sexual conduct for the purpose of inducing
- 9 the minor to engage in sexual conduct. The minor in this matter was an undercover law
- 10 enforcement officer conducting an undercover operation targeting adults seeking
- 11 minors for sex or soliciting child pornography.
- 12
- 13 4. On September 2, 2020, Andry was indicted on one (1) felony count of Online Sexual
- 14 Corruption of a Child in the Second Degree, and one (1) felony count of Luring a
- 15 Minor. On September 22, 2021, by plea agreement, Andry was convicted of one
- 16 misdemeanor count - reduced by the DA - of ORS 167.057 Luring a Minor. On
- 17 September 22, 2021, Andry was sentenced to jail for three hundred and sixty-two (362)
- 18 days, bench probation for one (1) year, and fined.
- 19

20 CONCLUSIONS OF LAW

21 Brett G. Andry's criminal conviction as described in section four (4) above, constitute gross

22 neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR

23 584-020-0010(5) (*Use professional judgment*); and OAR 584-020-0040(1) (*The Commission will*

24 *deny, revoke or deny the right to apply for a license or charter school registration to any applicant*

25 *or educator who, has been convicted of any of the crimes listed in ORS 342.143, or the substantial*

26 *equivalent of any of those crimes if convicted in another jurisdiction*), including ORS 167.057

27 *Luring a Minor*. This conduct also constitutes gross unfitness in violation of ORS 342.175(1)(c); OAR

28 584-020-0040(5)(c) (*Conviction of violating any federal, state, or local law. A conviction includes*

29 *any final judgment of conviction by a court whether as the result of guilty plea, no contest plea or*

30 *any other means*); OAR 584-020-0040(5)(d) (*Commission of an act listed in OAR 584-020-*

31 *0040(1)*); and OAR 584-020-0040(5)(e) (*Admission of or engaging in acts constituting criminal*

32 *conduct, even in the absence of a conviction*).

33 Pursuant to ORS 342.175(3) and OAR 584-020-0040(1) the Teacher Standards and Practices

34 Commission must revoke Andry's license and/or his right to apply for a license based on his

35 conviction of any of the crimes listed in ORS 342.143(3)(a), or the substantial equivalent of any of

1 those crimes, or convicted of attempt to commit such crimes as defined in ORS 161.405.

2 Andry's conduct underlying his conviction, as described in section three (3) above, constitutes
3 gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates
4 OAR 584-020-0010(5) (*Use professional judgment*); and OAR 584-020-0040(4)(o) as it
5 incorporates OAR 584-020-0035(3)(a) (*Maintain the dignity of the profession by respecting and*
6 *obeying the law, exemplifying personal integrity and honesty*).

7 Additionally, Andry's criminal conviction and conduct related to his conviction constitute
8 "gross unfitness" in violation of ORS 342.175(1)(c); OAR 584-020-0040(3)(c) and (d) as defined by
9 OAR 584-020-0040 (5) (*Gross unfitness is any conduct which renders an educator unqualified to*
10 *perform his or her professional responsibilities*).

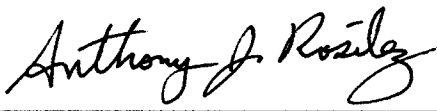
11 The Commission's authority to impose discipline in this matter is based upon ORS 342.175.

12
13 **FINAL ORDER**

14 The Commission hereby revokes Brett G. Andry's Oregon educator license and revokes his
15 right to apply for an Oregon educator license.

16
17 IT IS SO ORDERED THIS 18th day of March 2022.

18
19 **TEACHER STANDARDS AND PRACTICES COMMISSION**

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22 By: 
23 Dr. Anthony Rosilez, Executive Director
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28 **NOTICE OF APPEAL OR RIGHTS**

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