## 1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON 3 STIPULATION OF FACTS, In the Matter of the 4 Teaching License of AND FINAL ORDER 5 CLAGGETT OFFUTT 6 7 On August 25, 2008, the Teacher Standards and Practices Commission (Commission) 8 received a report from the Medford School District, indicating that Claggett Offutt (Offutt) may 9 have made inappropriate comments to a female student. After review of the matters alleged, Mr. Offutt and the Commission agree that their 10 respective interests, together with the public interest, are best served by a stipulation to certain 11 12 facts and imposition of a Public Reprimand upon his teaching license. 13 This document sets forth the facts upon which the parties have agreed and the 14 stipulated sanction to be imposed. Mr. Offutt stipulates that there is sufficient evidence in the Commission's files and records to support the findings of fact, conclusions of law, and order set 15 16 forth below. 17 By signing below, Mr. Offutt acknowledges, understands, stipulates, and agrees to the 18 following: (i) he has been fully advised of his rights to notice and a hearing to contest the 19 findings of fact, conclusions of law, and order set forth below, and fully and finally waives all 20 such rights and any rights to appeal or otherwise challenge this Stipulation of Facts, Order of 21 Suspension and Probation (Stipulation and Final Order); (ii) this Stipulation and Final Order is a 22 public document and disclosed to the public upon request by the Commission; (iii) this 23 Stipulation and Final Order is contingent upon and subject to approval and adoption by the 24 Commission. If the Commission does not approve and adopt this Stipulation and Final Order, 25 then neither Mr. Offutt nor the Commission are bound by the terms herein; (iv) he has fully read this Stipulation and Final Order, and understands it completely; (v) he voluntarily, without any 26 27 force or duress, enters into this Stipulation and Final Order and consents to issuance and entry

of the Stipulated Final Order below; (vi) he states that no promises or representation has been

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- 1 made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an
- 2 attorney regarding this Stipulation and Final Order and has been fully advised with regard to his
- 3 rights thereto, or waives any and all rights to consult with an attorney prior to entering into this
- 4 Stipulation and Final Order and issuance and entry of the Stipulated Final Order below. This
- 5 stipulation is contingent upon approval and adoption of the Order by the Commission. If the
- 6 Commission does not adopt this Order, neither Mr. Offutt nor the Commission are bound by
- 7 these Stipulations and Mr. Offutt retains all rights to a hearing on the allegations.

## 8 STIPULATION OF FACTS

- The Commission has licensed Mr. Offutt since July 30, 1987. Mr. Offutt holds a Standard
   Teaching License issued September 20, 2008 and valid through September 19, 2013 with
   an endorsement in Standard Advanced Mathematics.
- 12 2. Mr. Offut made comments to a female student during class that made her feel
   13 uncomfortable. Mr. Offut made the following comments to the same female student:
- 14 a. In response to the student asking whether she could borrow a pencil, "Yes, but
  15 only because you are cute."
- b. In response to the female and male student asking to see their tests, "Yes, but

  (female student) gets to see hers first because she is cuter than you."
- 18 c. In response to the female students' reaction to her test result, "That's OK, you're
  19 going to get through life on your looks."
- d. "On a scale of 1-10, rate yourself in terms of your looks, personality, aura, and being." And in response to the student's self assessment, "I think you are better than that, at least an 8 or 9."
- 3. Mr. Offutt's employment record shows that he received praise for use of humor and
   engaging students in the classroom.
- 25 4. During the Commission's investigation Mr. Offutt explained that, although it was not his
   26 intent, he understood how these types of comments, could be misinterpreted. His aim was

1	to raise this student's extremely poor self-esteem. In hindsight, he recognizes his comment
2	were not a good way to do that.
3	5. The investigation did not find any evidence of inappropriate conduct or contact with
4	students.
5	IT IS SO STIPULATED:
6 7	Clagger Of yt
8 9 10	Victoria Chamberlain, Executive Director Teacher Standards and Practices Commission  12-16-10 Date
11	III
12	CONCLUSION OF LAW
13	Claggett Offutt utilized inappropriate humor with a female student in his classroom. This
14	conduct constitutes Gross Neglect of Duty in violation of OAR 584-020-0040(4)(n) as it
15	incorporates OAR 584-020-0010(1) (Use of professional judgment) and OAR 584-020-
16	0040(4)(o) as it incorporates OAR 584-020-0035(1)(c)(D) (Honoring appropriate adult
17	boundaries with students in conduct and conversations at all times.) The Commission's
18	authority to impose discipline in this matter is based upon ORS 342.175.
19	ORDER
20	The Commission adopts and incorporates herein the above findings of fact and
21	conclusion of law, based thereon, hereby imposes a Public Reprimand upon the Teaching
22	License of Claggett Offutt.
23	IT IS SO ORDERED this day of February, 2011.
24	TEACHER STANDARDS AND PRACTICES COMMISSION
25 26	By: Ticana Chamberlain
26 27	Victoria Chamberlain Evacutive Director