## BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 1 2 OF THE STATE OF OREGON STIPULATION OF FACTS AND 3 In the Matter of the 4 **Educator License of:** FINAL ORDER OF SUSPENSION 5 6 7 AND PROBATION ) THEODEN JOHN HUMPHREY 8 On September 20, 2010, the Commission received a report from the St. Helens School District indicating that Humphrey was found in violation of the district's 9 10 electronic communications policy and the personal communication devices and social 11 media policy. 12 After review of the matters alleged, Humphrey and the Commission agree that 13 their respective interests, together with the public interest, are best served by a 14 stipulation to certain facts and a 30 day suspension of Humphrey's teaching license in 15 the State of Oregon, plus a 4 year period of probation. 16 By signing below, Humphrey acknowledges, understands, stipulates, and agrees 17 to the following: (i) he has been fully advised of his rights to notice and a hearing to contest the findings of fact, conclusions of law, and order set forth below, and fully and 18 19 finally waives all such rights and any rights to appeal or otherwise challenge this 20 Stipulation of Facts and Final Order of Suspension (Stipulation and Final Order); (ii) this 21 Stipulation and Final Order is a public document and disclosed to the public upon 22 request by the Commission; (iii) this Stipulation and Final Order is contingent upon and 23 subject to approval and adoption by the Commission. If the Commission does not 24 approve and adopt this Stipulation and Final Order, then neither Humphrey nor the 25 Commission are bound by the terms herein; (iv) he has fully read this Stipulation and 26 Final Order, and understands it completely; (v) he voluntarily, without any force or 27 duress, enters into this Stipulation and Final Order and consents to issuance and entry of 28 the Stipulated Final Order below; (vi) he states that no promise or representation has 29 been made to induce him to sign this Stipulation and Final Order; and (vii) he has 30 consulted with an attorney regarding this Stipulation and Final Order and has been fully 31 advised with regard to his rights thereto, or waives any and all rights to consult with an 32 attorney prior to entering into this Stipulation and Final Order and issuance and entry of 33 the Stipulated Final Order below. STIPULATION OF FACTS 34 35 1. Humphrey has been licensed by the Commission since March 18, 2003. He currently 36 hold an Initial I Teaching License issued July 4, 2009, with an endorsements in

Language Arts (HS), valid through July 3, 2012. On June 6, 2012, you made timely
 application for renewal and your expiration was extended. During all relevant times,
 you were employed by the St. Helens School District.

- 2. While employed as a teacher with the St. Helens School District, Humphrey maintained a blog on the Internet where he discussed his job as a teacher using profanity with regard to students. He disclosed former student names on the blog and used disparaging language about students on the blog. Humphrey posted to the blog during work time and utilizing school district computers.
  - 3. The District investigation disclosed that students were not aware of the blog.

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12 ITIS SO STIPVIATED:

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15 Theoden John Humphrey

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18 Victoria Chamberlain, Executive Director
19 Teacher Standards and Practices Commission

## CONCLUSIONS OF LAW

1. By engaging in the conduct in paragraph 2, Humphrey committed Gross Neglect of Duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(1) (Recognize the worth and dignity of all persons and respect for each individual), OAR 584-020-0010(5) (Use professional judgment); OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(1)(a) (Keep the confidence entrusted in the profession as it relates to confidential information concerning a student and the student's family); OAR 584-020-0040(4)(a) (Knowing and substantial unauthorized use of: school name or financial credit; school materials or equipment for personal purposes; or school personnel to provide personal services unrelated to school business);

1		and OAR 584-020-0040(4)(b) (Knowing and substantial unauthorized use of
2		employment time or school resources for private purposes).
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4		ORDER
5	1.	Based on the foregoing, the Commission hereby suspends Mr. Humphrey's
6		teaching license for 30 days beginning the date that this order is signed by the
7		Executive Director below.
8	2.	The Commission further places Mr. Humphrey on probation for a period of 4
9		years beginning the date that it reinstates his suspended license. During the
10		period of probation, Mr. Humphrey must follow the standards set by TSPC for
11		competent and ethical performance of Oregon educators.
12	3.	Violation of any term or condition of probation shall constitute an independent
13		basis for the Commission to revoke Mr. Humphrey's teaching license or
14		otherwise impose discipline, after first providing Mr. Humphrey with notice and
15		opportunity for hearing.
16 17		Issued and dated this day of March, 2014.
18 19		TEACHER STANDARDS AND PRACTICES COMMISSION STATE-OF OREGON
20 21		By McMan Sambulain Victoria Chamberton Executive Director