1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON 3 In the Matter of the STIPULATION OF FACTS. 4 Teaching License of ORDER OF SUSPENSION 5 MARK WILLIAM JONES AND PROBATION 6 7 8 On or about June 19, 2001, the Teacher Standards and Practices Commission 9 (Commission) received a report from George D. Lanning, Superintendent, Amity School District 10 alleging that Mark William Jones (Mr. Jones) a licensed educator, misused the District's internet 11 connection. 12 Mr. Jones fully cooperated with the Commission's investigation. After review of the 13 matters alleged, Mr. Jones and the Commission agree that their respective interests, together 14 with the public interest, are best served by a stipulation to certain facts and the imposition of a 15 six (6) month suspension of Mr. Jones' right to apply for licensure and a two (2) year probation 16 to commence upon the issuance of a teaching license. This Order sets forth the facts upon 17 which the parties have agreed and the sanction to be imposed. In entering into this stipulation, 18 Mr. Jones waives the right to a hearing to contest the finding of fact, conclusion of law and order 19 set forth below. Mr. Jones understands that the probation will be subject to specific conditions. 20 STIPULATION OF FACTS 21 1. Mr. Jones held a three-year Limited Teaching License to teach Computer Science 22 restricted to Amity School District issued on May 17, 2000. 23 2. He was employed by Amity School District as a High School Computer Science 24 Teacher beginning in September of 1994, until his resignation effective June 14, 2001. 25 3. For the past six years a District-owned computer with Internet access was present in 26 Mr. Jones' classrooms in the high school and middle school for his use in connection with his 27 assigned responsibilities.

1 4. The District has a clearly defined, acceptable use policy. The District's policy prohibits 2 the use or attempted use of equipment to send, receive or access sexually explicit materials 3 over the Internet. 4 5. During the 2000-2001 academic year Mr. Jones corresponded with a female adult, he 5 met on the Internet, by Instant Message during student contact hours. On or about June 5, 6 2001, Mr. Jones sent her JPG files of his face and a JPG file of a penis attached to a sexually 7 inappropriate Instant Message from a District computer during student contact hours. 8 6. Mr. Jones engaged in personal correspondence over the Internet during his prep 9 period. There were no students present in his classroom during any of these occasions. 10 7. Mr. Jones admits that he should not have used District equipment for the purpose of 11 sending, receiving or accessing sexually explicit materials and has expressed remorse for doing 12 SO. 13 **ULTIMATE FINDING OF FACT** 14 Mark William Jones used the computer equipment owned by his employer, Amity School 15 District, located on school premises, to transmit sexually inappropriate Instant Message 16 communications and material. Mr. Jones was fully aware that sending, receiving or accessing 17 materials at the workplace using District owned computer equipment was inappropriate and in 18 violation of District policy. 19 **CONCLUSION OF LAW** 20 Mark William Jones's activities constitute gross neglect of duty in violation of OAR 584-21 020-0040(4)(q). 22 This stipulation is contingent upon approval and adoption of the Order by the 23 Commission. If the Commission does not adopt this Order, neither Mr. Jones nor the 24 Commission are bound by these Stipulations and Mr. Jones retains all rights to a hearing on the

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allegations.

III

1 .	IT IS/SO STIPULATED:
2 3	Mark William Jones Date
4 5 6 7	Mark William Jones Date 13/0 David V. Myton, Executive Director Teacher Standards and Practices Commission Date 13/0 Date 13
8	ORDER
9	The Commission suspends the right of Mark William Jones to apply for an Oregon
10	Teaching License for six (6) months effective September 14, 2001. At the end of this
11	suspension period, Mr. Jones' right apply for a teaching license will be reinstated upon receipt
12	by the Commission of documentation that he has undergone an evaluation by a psychotherapist
13	or medical professional acceptable to the Commission, and the evaluator submits a written
14	report to the Commission attesting (1) Mr. Jones is fit to work with children and teenagers, and
15	(2) there is a high probability he will not use school district equipment to access, send or engage
16	in similar inappropriate behavior. Any costs associated with the assessment or treatment will be
17	the responsibility of Mr. Jones.
18	Upon the issuance of a teaching license, Mr. Jones shall be placed on probation by the
19	Commission for a period of two (2) years subject to the following conditions:
20	1. Mr. Jones shall substantially comply with any treatment or counseling as
21	recommended by the individual who completed the evaluation described above. Mr. Jones shall
22	authorize and sign any consent forms as necessary for the treatment provider or counselor to
23	furnish records to or discuss Mr. Jones' treatment with the Commission.
24	2. Mr. Jones shall comply with all Standards for Competent and Ethical Performance
25	under Chapter OAR 584, Division 020.
26	3. Mr. Jones shall provide information as requested by the Commission to verify that he
27	has complied with the conditions of probation, including a statement from a future employing

Chapter OAR 584, Division 020. Violation of the terms of this probation may constitute an independent basis of the Commission to impose discipline, up to and including revocation of Mr. Jones's teach subject to Mr. Jones's right to a hearing on the issue of whether he violated probation to Dated this day of September 2001	
Commission to impose discipline, up to and including revocation of Mr. Jones's teac subject to Mr. Jones's right to a hearing on the issue of whether he violated probation	
5 subject to Mr. Jones's right to a hearing on the issue of whether he violated probation	or the
	ning license
Dated this 14th day of September 2001	n.
7 TEACHER STANDARDS AND PRACTICES COMMISSION	
8 Dairelland	
9 By: David V. Myton, Executive Director	
11 12 APPROVED AS TO FORM	
13 V. M	
14 Poleb Wiggs OSB# 91423	
115 Ralph ☑. Wiser OSB# 81423 16 Attorney for Mark William Jones	