

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
25 allegations.

26 ///

1 IT IS SO STIPULATED:

2 Mark W. Jones
3 Mark William Jones

8-15-01
Date

4 David V. Myton
5 David V. Myton, Executive Director
6 Teacher Standards and Practices Commission
7

8/13/01
Date

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.

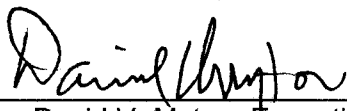
26 3. Mr. Jones shall provide information as requested by the Commission to verify that he
27 has complied with the conditions of probation, including a statement from a future employing

1 district that he has complied with the Standards for Competent and Ethical Performance under
2 Chapter OAR 584, Division 020.

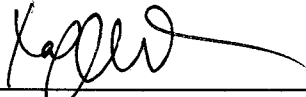
3 Violation of the terms of this probation may constitute an independent basis for the
4 Commission to impose discipline, up to and including revocation of Mr. Jones's teaching license
5 subject to Mr. Jones's right to a hearing on the issue of whether he violated probation.

6 Dated this 14th day of September 2001

7 TEACHER STANDARDS AND PRACTICES COMMISSION

8
9 By: 
10 David V. Myton, Executive Director

11
12 APPROVED AS TO FORM

13
14 
15 Ralph E. Wiser OSB# 81423
16 Attorney for Mark William Jones