

1 STATE OF OREGON

2 TEACHER STANDARDS AND PRACTICES COMMISSION

3 In the Matter of the  
4 Teaching License of  
5 JON M. YEAKEY

STIPULATION OF FACTS, CONCLUSION OF  
LAW, AND ORDER OF SURRENDER AND  
REVOCATION

6 On or about March 15, 1999, the Teacher Standards and Practices Commission  
7 (Commission) issued a Notice of Opportunity for hearing to Jon M. Yeakey (Yeakey) in which  
8 the Commission proposed to take disciplinary action against Yeakey under ORS 342.177. The  
9 basis for the proposed action was Yeakey's alleged misconduct as a teacher.

10 The Commission and Yeakey have now reviewed the matters alleged and have agreed that  
11 their respective interests, together with the public interest, are best served by entering this  
12 Stipulated Order and Findings of Fact. In entering these stipulations, Yeakey waives his right to  
13 a hearing. This agreement sets forth the facts upon which the parties have agreed including the  
14 Commission's order of surrender and revocation of Yeakey's license.

15 **FINDINGS OF FACT**

16 1. Yeakey held a valid restricted teaching license valid until March 26, 1999. He  
17 was issued a basic standard license on or about April 19, 1999.

18 2. Yeakey worked for the Hillsboro School District at the Glencoe High School from  
19 September 1993 to November 1998.

20 3. Yeakey resigned in lieu of termination on or about November 17, 1998 based on  
21 the conduct described in Findings of Fact 4 and 5.

22 4. During a six day period beginning September 30, 1998, Yeakey connected to the  
23 Internet on recently installed school equipment and accessed sexually explicit material. Some of

1 the access was during student contact hours, though no student was knowingly permitted nor is  
2 known to have viewed any of these materials.

3 5. On or about October 5 and 8, 1998, Yeakey made inaccurate statements to  
4 administrators during the investigation of the conduct described in Findings of Fact 4. Yeakey  
5 contends that the information provided was not knowingly inaccurate. The first communication  
6 to Yeakey was that inappropriate access to sites had been made on the computer in his room.  
7 Yeakey assumed and therefore told the administrator that students may have been responsible  
8 since he did not believe he personally had "entered" any sites, but simply surfed through some  
9 personals ads. On October 8, Yeakey was told that his computer showed hits on a large number  
10 of sites and he believed he had only incidentally landed on a relatively small number of sites.  
11 Yeakey indicated to the administrator that he would compare the times of access with student  
12 activity. Upon doing so, Yeakey realized the District was referring to his surfing and  
13 acknowledged that he, rather than the students, had been on the computer during those times. He  
14 later learned that landing on one site may produce a register of multiple hits, many of which were  
15 never viewed. Yeakey agrees evidence exists in the record to establish his responses to district  
16 inquiries may have been less than candid.

17 Yeakey enters into this Stipulation of Facts with the knowledge that the Commission will  
18 adopt an order revoking his license. This Stipulation is contingent upon the approval and  
19 adoption of the Order by the Commission. If the Commission does not adopt this order, neither  
20 Yeakey nor the Commission are bound by these stipulations and he retains all rights to a hearing  
21 on the allegations.

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23 ///

1 IT IS SO STIPULATED:

2

3 Jon M. Yeakey  
4 Jon M. Yeakey

11-4-99  
Date

5 David V. Myton  
6 David V. Myton  
6 Executive Director

11/12/99  
Date

7

**CONCLUSIONS OF LAW**

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The conduct described in the Findings of Fact constitutes violations of OAR 584-020-0040(4)(a). <sup>et al</sup>

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**ORDER**

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Based on the foregoing Stipulations it is ordered: Yeakey's license is revoked.

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DATED this 22<sup>nd</sup> day of November 1999.

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**TEACHER STANDARDS AND PRACTICES COMMISSION**

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David V. Myton  
By: David V. Myton, Executive Director

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Approved to form:

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Elizabeth McKanna  
Elizabeth McKanna, OSB #89306  
Attorney for Jon M. Yeakey

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Gary M. Cordy  
Gary M. Cordy, OSB #78118  
Assistant Attorney General  
Attorney for TSPC

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