




student contact time and non-student contact time.


6. On or around April 11, 2000, the District accused Mr. Carpenter of the computer misuse and placed him on administrative leave pending an investigation. Mr. Carpenter cooperated with the District as it conducted the investigation and he admitted to misusing the computer. He expressed remorse for his misconduct and voluntarily tendered his resignation from District employment on April 19, 2000.

This Stipulation is contingent upon approval and adoption of the Order by the Commission. If the Commission does not adopt this Order, neither Mr. Carpenter nor the Commission are bound by these stipulations and Mr. Carpenter retains all rights to a hearing on the allegations.

IT IS SO STIPULATED:

  
\_\_\_\_\_  
Russell Carpenter

6-24-00  
Date

  
\_\_\_\_\_  
David V. Myton, Executive Director  
Teacher Standards and Practices Commission

6/27/00  
Date

#### ULTIMATE FINDINGS OF FACT

Russell Carpenter used computer equipment owned by his employing school district and located on school premises to access sexually explicit materials. Although Mr. Carpenter believed that his conduct was private, he should have known that accessing such materials at the workplace with a District-owned computer was inappropriate.

#### CONCLUSIONS OF LAW

Russell Carpenter's activities constituted gross neglect of duty in violation of OAR 584-020-0040(4)(a) and OAR 584-020-0040(4)(k).

#### ORDER

The Oregon Teaching License of Russell Carpenter is suspended for a period of 90 days from July 1, 2000. At the end of this suspension period, Mr. Carpenter's Teaching License will be reinstated upon application provided that Mr. Carpenter shows that he has undergone an

evaluation at his own expense by a psychotherapist or medical professional acceptable to the Commission, and provided that the evaluator submits a written report to the Commission attesting that: (1) Mr. Carpenter is fit to work with children and teenagers; and (2) there is a high probability he will not use school district equipment to access sexually explicit materials or engage in similar inappropriate behavior.

Following reinstatement of his teaching license, Mr. Carpenter shall be placed on probation by the Commission for a period of two years subject to the following conditions:

1. Mr. Carpenter shall substantially comply with any treatment or counseling as recommended by the individual who completed the evaluation described above. Mr. Carpenter shall authorize and sign a narrowly-tailored consent form as necessary for the treatment provider or counselor to furnish records to the Commission for the strict purpose of verifying the items required by this Order.
2. Mr. Carpenter shall abide with all Standards of Competent and Ethical Performance under OAR 584, Division 20.
3. Mr. Carpenter shall provide to the Commission such information as the Commission requests to verify that he has complied with the conditions of the probation, including a statement from his employing district that he has complied with Standards of Competent and Ethical Performance of Oregon Educators under OAR 584, Division 020.

Violation of the terms of this probation may constitute an independent basis for the Commission to impose discipline, up to and including revocation of Mr. Carpenter's Teaching License, subject to Mr. Carpenter's right to a hearing on the issue of whether he violated probation.

Dated this 17<sup>th</sup> day of July, 2000.

TEACHER STANDARDS AND PRACTICES COMMISSION

BY David V. Myton  
David V. Myton, Executive Director