

- 1 2. On May 24, 2017, the Commission received a report from the Oregon Department of
2 Human Services (DHS) alleging that Walker may have violated professional
3 standards. On May 25, 2017, TSPC received a School District Misconduct Report,
4 alleging similar conduct on Walker's part.
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6 3. Investigation determined that on or about May 22, 2017, during instructional
7 periods of the school day, Walker had taken pictures with his cellular phone of the
8 undergarments of unwitting, minor-aged female students' groin areas while they
9 were sitting at their desks in Walker's classroom. After law enforcement reviewed
10 the photos on Walker's phone, an additional victim, not a student but a family friend,
11 was identified by a photo showing a minor-aged, female in her underwear at
12 Walker's residence. KCSD placed Walker on administrative leave while
13 investigations were conducted.
- 14
15 4. On May 23, 2017, Walker was arrested and charged with five misdemeanor counts of
16 Invasion of Personal Privacy in the Second Degree for unlawfully, knowingly and
17 without consent make or record a photograph or record in visual recording, intimate
18 areas of these minor children. On June 27, 2017, KCSD terminated Walker's
19 employment contract based on his conduct and school district policy violations.
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21 5. On February 7, 2018, Walker waived his right to a jury trial and was found guilty of
22 all five counts by a judge. On April 4, 2018, Walker was sentenced in the Klamath
23 County Circuit Court to five counts of Invasion of Personal Privacy in the Second
24 Degree. Special conditions as part of Walker's probation included submitting to an
25 evaluation by an approved sex offender program. Walker's incarceration included a
26 two hundred (200) day sentence with credit for time served.

27 28 **CONCLUSIONS OF LAW**

29 Matthew Walker's conduct described above constitutes gross neglect of duty in
30 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-
31 020-0010(1) (*Recognize the worth and dignity of all persons and respect for each*

1 individual), OAR 584-020-0010(5) (*Use professional judgment*); OAR 584-020-
2 0040(4)(f) (*Any sexual conduct with a student*) as defined by OAR 584-020-0005(5);
3 OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(1)(c)(D) (*Honoring*
4 *appropriate adult boundaries with students in conduct and conversations at all times*);
5 and OAR 584-020-0035(3)(a) (*Maintain the dignity of the profession by respecting and*
6 *obeying the law, exemplifying personal integrity and honesty*). Additionally, Walker's
7 criminal convictions and conduct related to Walker's convictions constitutes "gross
8 unfitness" in violation of ORS 342.175(1)(c), OAR 584-020-0040(3)(c) and (d) as
9 defined by OAR 584-020-0040 (5) (*Gross unfitness is any conduct which renders an*
10 *educator unqualified to perform his or her professional responsibilities*), and OAR 584-
11 020-0040 (5)(e) (*Admission of or engaging in acts constituting criminal conduct, even*
12 *in the absence of a conviction*).

13 The Commission's authority to impose discipline in this matter is based
14 upon ORS 342.175.

15 **FINAL ORDER**

16 The Commission hereby revokes Matthew L. Walker's Educator license.

17 IT IS SO ORDERED THIS 28th day of January, 2019.

18 TEACHER STANDARDS AND PRACTICES COMMISSION

19 By: Anthony J. Rosilez
20 Dr. Anthony Rosilez, Executive Director
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22 **NOTICE OF APPEAL OR RIGHTS**

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24 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
25 BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE
26 SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF
27 ORS 183.482 TO THE OREGON COURT OF APPEALS.