1 2		BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON	
3 4 5 6	Teac	e Matter of the) DEFAULT ORDER hing License of) SUSPENDING LICENSE Y WAYNE RENVILLE, JR.)	
7 8 9 10 11	On February 29, 1996, Gary Wayne Renville resigned his teaching position with the Salem-Keizer School District. On March 1, 1996, the superintendent of the Salem-Keizer School District notified the Teacher Standards and Practices Commission that the District was investigating whether Renville had violated TSPC ethical standards, "in particular, unauthorized use of District equipment to send and receive highly personal messages on the Internet through classroom computer equipment.		
12		FINDINGS OF FACT	
13 14	1.	Gary Wayne Renville currently holds an Oregon Teaching License endorsed in elementary and valid from November 21, 1995 to November 11, 1998.	
15 16 17 18	2.	In November of 1995 Renville accessed the Internet through his classroom computer and engaged in 102 personal, private communications that violated school district policies and professional standards. Most of the communications took place during non-working hours, but 29 were transmitted during hours when students may have been present in the classroom.	
19 20 21 22 23	3.	Renville's misuse of district employment time, computers and electronic networks was initially detected because Renville's outbound messages were returned to the district's postmaster. A routine usage audit indicated excessive e-mail transmissions from the computer in Renville's classroom. The disclosure of Renville's private and personal communications on the Internet was damaging to Renville's reputation and showed a lack of professional judgment.	
24 25	4.	When the school district questioned Renville about his use of the District computers he was cooperative, candid, and honest in responding to the District's questions and investigation.	
26 27	5.	On February 28, 1996, Renville and the District entered into an agreement for Renville's resignation effective February 29, 1996.	
28		ULTIMATE FINDINGS OF FACT	
29 30	Gary how	Wayne Renville demonstrated a lack of judgment in how he used school district computers and he communicated on the Internet.	

CONCLUSIONS OF LAW Gary Wayne Renville's conduct as described above, constitutes gross neglect of duty in knowing and substantial use of school resources and equipment for personal purposes under OAR 584-20-040(4) and a failure to use professional judgment under OAR 584-20-010(5). 5 DISCUSSION Renville's conduct is inconsistent with the high standards he otherwise met as a teacher in the Salem-6 Keizer School District. His error in judgment in use of the Internet has damaged his reputation and 7 has resulted in a violation of Commission standards. As mitigating factors, Renville had an exemplary 8 teaching record in the District; he was cooperative and honest in responding to the District's 9 investigation; and he has shown genuine remorse. The Commission accepts the effective date of the 10 suspension because Mr. Renville originally proposed a stipulation on June 10, 1996, however, the 11 proposal was held in abeyance until the Commission completed its investigation of the allegations. 12 ORDER 13 The Oregon Basic Teaching License endorsed in elementary #271928 issued to Gary Wayne Renville, 14 Jr. and effective from November 21, 1995 to November 18, 1998, is suspended for one year as of 15 May 31, 1996. 16 DATED THIS <u>1st</u> day of September, 1997. 17 TEACHER STANDARDS AND PRACTICES COMMISSION 19 V. Myton, Executive Secretary 20 NOTICE OF APPEAL OR RIGHTS 21 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE 22 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE 23 OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 24

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TO THE OREGON COURT OF APPEALS.

1 CERTIFICATE OF MAILING I hereby certify that I served the foregoing order by mailing a true copy thereof certified by me as such by U.S. Certified Mail with Return Receipt Requested to attorney for Gary Wayne Renville: 3 4 MARK TOLEDO 5 BENNETT, HARTMAN, REYNOLDS & WISER 6 851 SW 6TH, SUITE 1600 PORTLAND OR 97204-1376 Dated this 12^{+1} day of Sept 8 9 Charlene A. Smith 10 11 Secretary to the Commission