

BEFORE THE TEACHERS STANDARDS AND PRACTICES COMMISSION
OF THE STATE OF OREGON

In the Matter of the
Teaching License of
ROBERT E. PHILLIPS

STIPULATION AND ORDER OF
REPRIMAND

On or about June 16, 2000, the Teachers Standards and Practices Commission (Commission) received a report from Craig Roessler, Superintendent of Silver Falls School District. The report alleged that Robert E. Phillips, a Licensed Educator, engaged in sexually explicit conversations with student members of the high school baseball team he coached during the 1999-2000 school year. Mr. Phillips fully cooperated with the Commission's investigation and did not contest the allegation.

After a review of the matters alleged, Mr. Phillips and the Commission have agreed that their respective interests, together with the public interest, are best served by a stipulation to certain facts and the imposition of a Reprimand and Probation of four (4) years. This Order sets forth the facts upon which the parties have agreed and the sanction to be imposed. In entering into this stipulation, Mr. Phillips waives his right to a hearing to contest the findings of fact, conclusion of law and order set forth below.

STIPULATED FACTS

1. Mr. Phillips holds a Standard Oregon Teaching License with endorsements in Standard Elementary, Standard Advance Mathematics, and Standard Biology. The license is valid from September 11, 1997 to September 25, 2002. Mr. Phillips was employed as a math teacher and coach in the Silver Falls School District since the 1996-97 school year. Mr. Phillips has a positive record with the Silver Falls School District.

2. During the 1999-2000 school year, Mr. Phillips taught math at Silverton High School and coached the varsity boys baseball team.
3. On occasions during the baseball season, Mr. Phillips communicated with male students on the baseball team about personal sexual experiences and other matters of a sexual nature. On many of these occasions, Mr. Phillips inappropriately engaged in or responded to communications initiated by one or more student members of the baseball team. The investigation confirmed that Mr. Phillips' sexually explicit conversations were limited to his duties as a baseball coach.
4. This inappropriate communication concerned only Mr. Phillips' baseball coaching duties. The investigation confirmed that there is no evidence that Mr. Phillips engaged in similar behavior while acting solely in the capacity as a classroom teacher. Mr. Phillips' sexually explicit conversations did not reference any female student.
5. Mr. Phillips now realizes his sexually explicit conversations with student members of the baseball team were not appropriate and has expressed remorse for so doing.
6. Mr. Phillips has undergone counseling with Nancy Huppertz concerning the issues underlying the alleged misconduct and has completed the program of counseling.

ULTIMATE FINDING OF FACT

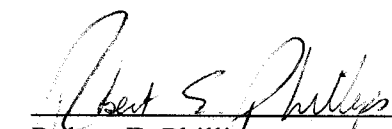
Mr. Phillips engaged in sexually explicit conversations with male student members of the baseball team.

CONCLUSION OF LAW

Mr. Phillips' activities in this matter constituted gross neglect of duty in violation of OAR 584-020-0040 and 584-020-0040(f).

Mr. Phillips enters into this agreement with knowledge that the Commission will issue a reprimand and require compliance with Standards for Competent and Ethical Performance. This stipulation is contingent upon approval and adoption of the Order by the Commission. If the Commission does not adopt this Order, neither Mr. Phillips nor the Commission are bound by these Stipulations and Mr. Phillips retains all rights to a hearing on the allegations.

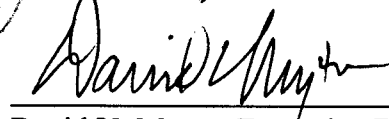
It is so stipulated:



Robert E. Phillips

10/23/00

Date



David V. Myton, Executive Director

10/25/00

Date

ORDER

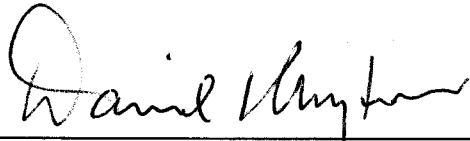
The Commission hereby Reprimands Robert E. Phillips for engaging in the conduct identified in the Stipulation of Facts. In addition, Mr. Phillips will be placed on probation for a period of four (4) years. The terms of the probation are as follows:

1. Mr. Phillips shall comply with all Commission requirements, including but not limited to those articulated in OAR 584, Division 20 – the Standards for Competent and Ethical Performance of Oregon Educators.
2. Mr. Phillips will notify the Commission's Executive Director of any change in employment as a licensed teacher in this state or elsewhere and any discipline or investigation occurring while he is employed as a teacher during the period of his probation.

3. Mr. Phillips will provide to the Commission such information as required by OAR 584-050-0015(2)(a) verifying that he has complied with the conditions of probation, including a statement from his employing district that he has complied with the Standards of Competent and Ethical Performance.
4. 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. Phillips' Teaching License and subject Mr. Phillips' right to a hearing on the issue of whether he violated probation.

IT IS SO ORDERED this 17ⁿ day of November, 2000.

By:



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