OF THE STATE OF OREGON			
In the Matter of the Educator License of THOMAS W. SCHILLINGER)))	DEFAULT ORDER OF REVOCATION OF LICENSURE	
On June 14, 2019, the Teacher Standards and Practices Commission			
(Commission) issued a Notice of Opportunity for Hearing to Thomas W. Schillinger			
(Schillinger) in which the Commission charged him with Gross Neglect of Duty. The			
Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7018 1830 0001			
6178 3819 to the address on file with the Commission. The Notice designated the			
Commission file as the record for purposes of proving a prima facie case. The Certified			
Mail was returned signed, to the Commission on June 28, 2019. The regular first class			
mail was not returned to the Commission and assumed delivered. The Notice of			
Opportunity of Hearing, dated June 14,	2019, a	and signed by Anthony Rosilez, Executive	
Director, stated:			
"IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING, WITHDRAW YOUR REQUEST FOR HEARING, OR IF YOU FAIL TO APPEAR AT A HEARING, OR NOTIFY THE COMMISSION THAT YOU WILL NOT APPEAR AT HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."			
Schillinger did not request a hearing. Or	n July	3, 2019, the commission received a letter	
from Schillinger that advised he would not be seeking a hearing. The Commission,			
therefore, finds Schillinger to be in default and enters the following findings of fact,			
conclusions of law, and final order, base	ed on tl	he files and records of the Commission	
concerning this matter.			
FINDINGS OF FACT			
		e Commission since February 12, 1981.	
Schillinger's Legacy Teaching Licens	se, with	n an endorsement in Art (PK-12), valid	

9

10

11

12

13

14

15

16

17

18

19

20

21 22 23

24

25

30

31

32

33

34 35

36

37

- 1
- 2
- 3

On October 19, 2017, the Commission received a report from the HCSD indicating
Schillinger may have committed acts which constitute gross neglect of duty.
Specifically, Schillinger used his school computer and internet to search for and view
sexually explicit images.

from January 31, 2017 through January 30, 2020. During all relevant times,

Schillinger was employed by the Harney County School District (HCSD).

8

9 3. Investigation determined that between the dates of August 14, 2017 and October 9, 10 2017, Schillinger spent the majority of his work time searching and viewing sexually 11 explicit photos and videos on his school computer while accessing the district's 12 internet. Forensic review indicated Schillinger spent hours each day, often while 13 students were present in his classroom, searching and viewing sexually explicit 14 materials. Schillinger would close down or switch screens on his computer whenever 15 a student approached him, and it is believed that no students were exposed to Schillinger's viewing materials. Students did report suspicions that Schillinger was 16 17 doing something inappropriate based on how Schillinger reacted when they approached him. 18

19

20 When interviewed, Schillinger cooperated and advised that he believed he spent 21 approximately 2 to 3 hours a day engaged in these activities while he should have 22 been working. Schillinger explained that his personal computer was broken, and he 23 was conducting these searches as part of a side job Schillinger had, creating artwork 24 projects. It also came to light that Schillinger had been banned by the local public 25 library for searching and viewing similar materials there. Furthermore, that after 26 Schillinger was banned from the library, he began parking his vehicle near the 27 library, placing a towel in his vehicle's window to block the view of outsiders, and 28 continued to search and view these materials using the library's internet Wi-Fi 29 connection. On October 19, 2017, HCSD terminated Schillinger's employment for 30 violations of their Staff Computer Acceptable Use Policy.

- 31
- 32
- 33

1	CONCLUSIONS OF LAW
2	Thomas Schillinger's conduct described in sections two (2) and three (3) above,
3	constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-
4	020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (Use professional
5	judgment); OAR 584-020-0025(2)(e) (Using district lawful and reasonable
6	rules and regulations); OAR 584-020-0040(4)(b) (Substantial unauthorized use
7	of employment time or school resources for private purposes); OAR 584-020-
8	0040(4)(q) (Unauthorized use of school computer equipment to receive, store,
9	produce or send sexually explicit materials); and OAR 584-020-0040(0) as it
10	incorporates OAR 584-020-0035(2)(e) (Not use the district's or school's name,
11	property, or resources for non-educational benefit or purposes without
12	approval of the educator's supervisor or the appointing authority).
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 Thomas Schillinger's Educator license.
17	IT IS SO ORDERED THIS $\underline{9^{4}}_{2}$ day of August, 2019.
18	TEACHER STANDARDS AND PRACTICES COMMISSION
19	By: Anthony f. Rosiles
20	Dr. Anthony Rosilez, Executive Director
21	
22	
23	
24	
25	NOTICE OF APPEAL OR RIGHTS
26 27	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
28 29	BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF
29 30	ORS 183.482 TO THE OREGON COURT OF APPEALS.