1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON			
3 4 5 6 7 8	In the Matter of the Educator License of MICHAEL R. ODLE)	DEFAULT ORDER OF REVOCATION OF LICENSURE	
9	On March 18, 2019, the Tea	cher Standa	rds and Practices Commission	
10	(Commission) issued a Notice of Opportunity for Hearing to Michael R. Odle (Odle) in			
11	which the Commission charged him with Gross Neglect of Duty and /or Gross Unfitness			
12	The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7018 1830			
13	000161783475 to the address on file with the Commission. The Notice designated the			
14	Commission file as the record for purposes of proving a prima facie case. The Certified			
15	Mail was returned to the Commission "Forward Time Exp Rtn to Send". The regular			
16	first class mail was not returned to the Commission, and assumed delivered. The Notice			
17	of Opportunity of Hearing, dated March 18, 2019, and signed by Anthony Rosilez,			
18	Executive Director, stated:			
19 20 21 22 23 24 25 26 27 28	"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."			
29	Odle did not request a hearing. Th	e Commissi	on, therefore, finds Odle to be in default	
30	and enters the following findings of fact, conclusions of law, and final order, based on			
31	the files and records of the Commi	ssion conce	rning this matter.	
32				
33		INDINGS		
34			Commission since September 16, 2004.	
35		Odle's Preliminary School Psychologist License, with an endorsement in School		
36	Psychologist (PK-12), is valid for	rom Octobe	r 13, 2016 through October 12, 2019.	
37	During all relevant times, Odle	was employ	yed by the Eugene School District.	

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2. On November 20, 2017, the Commission received a report from the Eugene School
District indicating Odle may have committed acts which constitute gross neglect of
duty. Specifically, Odle used his school issued laptop computer to search for, view,
receive and store sexually explicit images, of many young looking, possibly minor
aged females.

3. Investigation determined that on October 20, 2017, Odle had sent an ESD staff member an electronic request to schedule a meeting, which inadvertently contained an internet hyperlink to the web address of https://www.primejailbait.com/login/. This link prompted an investigation that resulted in the forensic examination of Odle's school computer and related devices. The forensic exam found various internet searches for pornography, over fifty pornographic web sites visited, hundreds of deleted image files of naked persons believed to be juveniles, undeleted image files of nude females, many of which appeared to be minors. The examination revealed the computer had been used to access the website "jailbait.com" over 2000

times

Local law enforcement was contacted, and they conducted an investigation that resulted in Odle being arrested for Encouraging Child Sexual Abuse in the Second Degree. The prosecuting attorney later dropped the charges due to the fact that they were unable to prove the images were ever "downloaded or saved" but only searched for and viewed.

4. On February 24, 2010, Odle was issued a Written Reprimand by the district for similar misconduct. District investigation determined that on January 4, 2010, Odle used a school district laptop to access 54 pages of internet pornography on school grounds and work time. As part of the 2010 investigation, Odle informed district officials that he was receiving counseling for his pornography problems. The reprimand included the directive that Odle adhere to district policy on technology appropriate use or face additional disciplinary action up to and including

termination of employment. On November 16, 2017, Odle was interviewed by school officials regarding his recent conduct and his past reprimand. Odle elected to resign

32 his employment with ESD.

I	CONCLUSIONS OF LAW	
2	Michael R. Odle'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 584-020-	
4	0040(4)(n) as it incorporates OAR 584-020-0010(5) (Use professional judgment); OAR	
5	584-020-0025(2)(e) (Using district lawful and reasonable rules and regulations), OAR	
6	584-020-0040(4)(b) (Substantial unauthorized use of employment time or school	
7	resources for private purposes), OAR 584-020-0040(4)(q) (Unauthorized use of school	
8	electronic equipment to receive, store, produce or send sexually explicit materials); and	
9	OAR 584-020-0040(o) as it incorporates OAR 584-020-0035(2)(e) (Not use the	
10	district's or school's name, property, or resources for non-educational benefit or	
11	purposes without approval of the educator's supervisor or the appointing authority).	
12	Michael R. Odle's conduct described in section four (4) above, constitutes gross	
13	neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it	
14	incorporates OAR 584-020-0010(5) (Use professional judgment); OAR 584-020-	
15	0025(2)(e) (Using district lawful and reasonable rules and regulations), and OAR 584-	
16	020-0040(o) as it incorporates OAR 584-020-0035(2)(c) (Strive for continued	
17	improvement and professional growth).	
18	The Commission's authority to impose discipline in this matter is based	
19	upon ORS 342.175.	
20	FINAL ORDER	
21	The Commission hereby revokes Michael R. Odle's Oregon educator license.	
22	IT IS SO ORDERED THISday of June, 2019.	
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TEACHER STANDARDS AND PRACTICES COMMISSION 1 2 By: Dr. Anthony Rosilez, Executive Director 3 4 5 NOTICE OF APPEAL OR RIGHTS 6 7 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY 8 BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE 9 SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS. 10