BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 1 2 OF THE STATE OF OREGON 3 STIPULATION OF FACTS. In the Matter of the Teaching License of AND ORDER 5 FRED E. LOCKE OF SUSPENSION 6 On or about January 13, 2009, the Teacher Standards and Practices Commission 7 (Commission) received a report indicating that Mr. Locke may have engaged in conduct 8 constituting gross neglect of duty. 9 The Commission charged Mr. Locke with gross neglect of duty and issued a Notice of 10 Opportunity for Hearing on January 6, 2010. After review of the matters alleged, Mr. Locke and 11 the Commission agree that their respective interests, together with the public interest, are best 12 served by a stipulation to certain facts and a suspension of his teaching license. 13 By signing below, Mr. Locke acknowledges, understands, stipulates, and agrees to the 14 following: (i) he has been fully advised of his rights to notice and a hearing to contest the 15 findings of fact, conclusions of law, and order set forth below, and fully and finally waives all 16 such rights and any rights to appeal or otherwise challenge this Stipulation of Facts, and Order 17 of Suspension (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to the public by the Commission upon request; (iii) this Stipulation and 18 19 Final Order is contingent upon and subject to approval and adoption by the Commission. If the 20 Commission does not approve and adopt this Stipulation and Final Order, then neither Mr. Locke nor the Commission are bound by the terms herein; (iv) he has fully read this Stipulation 21 and Final Order, and understands it completely; (v) he voluntarily, without any force or duress, 22 enters into this Stipulation and Final Order and consents to issuance and entry of the Stipulated 23 24 Final Order below; (vi) he states that no promises or representations have been made to induce 25 him to sign this Stipulation and Final Order; and (vii) he has consulted with an attorney

regarding this Stipulation and Final Order and has been fully advised with regard to his rights

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1 thereto, or waives any and all rights to consult with an attorney prior to entering into this 2 Stipulation and Final Order and issuance and entry of the Stipulated Final Order below. 3 STIPULATION OF FACTS 1. The Commission has licensed Mr. Locke since July 1, 1974. Mr. Locke currently 4 holds a Standard Teaching License with an endorsement in Standard Integrated Science, 5 issued June 10, 2006 and valid through June 9, 2011. He was employed by the Portland Public 6 7 School District as a substitute teacher at all relevant times. 8 2. On December 12, 2008, while substituting at Clarendon-Portsmouth School, in the 9 Portland Public School District, Mr. Locke used a school district computer during his break time 10 to view sexually explicit materials. One sexually explicit image viewed by Mr. Locke was 11 inadvertently seen by a student later that day. 3. During an interview with a TSPC investigator Mr. Locke admitted this conduct. Mr. 12 Locke further admitted that over the last several years during other substitute assignments, he 13 accessed sexually explicit materials from school district computers on more than one occasion 14 15 during his break time. 16 IT IS SO/STIPULATED 06 | 15 | 10 Date 6-23-10 17 18 Fred] 19 20 Victoria Chamberlain, Executive Director Teacher Standards and Practices Commission 21 22 **CONCLUSION OF LAW** 23 Fred E. Locke used school district computer equipment to access sexually explicit materials. Mr. Locke's conduct caused a student to be exposed to this material. This conduct 24 constitutes gross neglect of duty in violation of OAR 584-020-0040(4)(q) and OAR 584-020-25 0040(4)(o) as it incorporates OAR 584-020-0010(5). The Commission's authority to 26 27 impose discipline in this matter is based upon ORS 342.175.

1 **ORDER** The Commission adopts and incorporates the above findings of facts and conclusions of 2 3 law and based on the foregoing, hereby orders that Fred E. Locke's Standard Teaching License 4 is suspended for one year from the date this order is signed. IT IS SO ORDERED this 5th day of August, 2010. 5 TEACHER STANDARDS AND PRACTICES COMMISSION 6 berlain 7 8 9