



1 attorney prior to entering into this Stipulation and Final Order and issuance and entry of  
2 the Stipulated Final Order below.

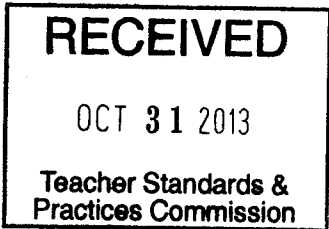
3 **STIPULATION OF FACTS**

- 4 1. Mark J Mayko has been licensed as a teacher in Oregon since September 11, 1998.  
5 Mayko's current Standard Teaching License, with endorsements in Standard  
6 Elementary (016), Standard Exceptional Learner (018), and Middle Level Emphasis  
7 (015), is valid July 16, 2011, through July 15, 2016. During all relevant times, Mayko  
8 was employed by the Gresham-Barlow School District.
- 9 2. On March 26, 2012, the Commission received a report from the Gresham-Barlow  
10 School District indicating that Mayko may have failed to make a mandatory report of  
11 child abuse.
- 12 3. On or about January 2012, an adult aged, special education student shared an  
13 incident in class which has been determined to have constituted "reasonable cause"  
14 that a possible child abuse situation had existed and required mandatory reporting.  
15 The student informed Mayko, and the other students, that over the weekend she and  
16 her boyfriend had smoked marijuana while driving a motor vehicle with the student's  
17 three or four year old foster sibling in the vehicle. Mayko failed to report the possible  
18 child abuse to DHS, local law enforcement, school district administrators or any  
19 other officials.
- 20 4. These statements were made at a time when students were asked to share something  
21 with the class about their weekend. Mayko explained to TSPC investigators that this  
22 student regularly said dramatic things in class to gain attention from the younger  
23 students. Mayko has correctly reported abuse to DHS in the past. Mayko and his  
24 administration believe this desensitization, based on this student's conduct in the  
25 past, contributed to Mayko's failure to report the incident.

26 IT IS SO STIPULATED:

27 Mark J Mayko  
28 Mark J Mayko  
29  
30 Victoria Chamberlain  
31 Victoria Chamberlain, Executive Director  
32 Teacher Standards and Practices Commission  
33

10-29-13  
Date  
10-31-13  
Date



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**CONCLUSION OF LAW**

Mark J Mayko's conduct constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*); OAR 584-020-0040(4)(s) (*Failing to report child abuse pursuant to ORS 419B.010*).

The Commission's authority to impose discipline in this matter is based upon ORS 342.175.

**ORDER**

Based on the foregoing, the Commission hereby orders as follows:

- 1. The Commission adopts and incorporates herein the above findings of fact and conclusions of law, and based thereon, imposes a Public Reprimand on Mark J Mayko's Educators License;
- 2. Mayko is hereby placed on probation for a period of four (4) years from the date this order is signed by the Commission subject to the following conditions:
  - a) Mayko shall comply with the Standards for Competent and Ethical Performance of Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020.

Violation of any term or condition of probation shall constitute an independent basis for the Commission to revoke Mayko's educator license, revoke his right to apply for a license, or otherwise impose discipline, after first providing Mayko with notice and opportunity for hearing.

Issued and dated this 11<sup>th</sup> day of November, 2013.

**TEACHER STANDARDS AND PRACTICES COMMISSION  
STATE OF OREGON**

By *Victoria Chamberlain*  
Victoria Chamberlain, Executive Director