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

In the Matter of the) STIPULATION OF FACTS AND
Teaching License of) FINAL ORDER OF REPRIMAND
TIMOTHY WOJTUSIK) AND TWO YEAR PROBATION

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On May 26, 2010, the Teacher Standards and Practices Commission (Commission) received a report from the Jefferson County School District, indicating Timothy Wojtusik (Wojtusik) had been arrested for Disorderly Conduct and Menacing, regarding his involvement in placing .22 caliber ammunition in a hallway on school property.

After review of the matters alleged, Wojtusik and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts and the imposition of a public reprimand with a two-year observation period.

By signing below, Wojtusik acknowledges, understands, stipulates, and agrees to the following: (i) he has been fully advised of his rights to notice and a hearing to contest the findings of fact, conclusions of law, and order set forth below, and fully and finally waives all such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Reprimand (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to the public upon request by the Commission; (iii) this Stipulation and Final Order is contingent upon and subject to approval and adoption by the Commission. If the Commission does not approve and adopt this Stipulation and Final Order, then neither Wojtusik nor the Commission are bound by the terms herein; (iv) he has fully read this Stipulation and Final Order, and understands it completely; (v) he voluntarily, without any force or duress, enters into this Stipulation and Final Order and consents to issuance and entry of the Stipulated Final Order below; (vi) he states that no promise or representation has been made to induce 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 thereto, or waives any and all rights to consult with an attorney prior to entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order below. Wojtusik understands that the probation will be subject to specific terms and conditions.

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STIPULATION OF FACTS

- 1. Timothy Wojtusik has been licensed by the Commission since July 29, 1998. Wojtusik held a Standard Teaching License, with endorsements in Basic ESOL(017), Basic Integrated Science(020), and Standard Elementary Education(016), issued on April 22, 2007, that expired on April 21, 2012. As of the date of this document, Wojtusik has not applied for renewal of his teaching license. During all relevant times Wojtusik was employed by the Jefferson County School District.
- 2. On May 10, 2009, Wojtusik was arrested for disorderly conduct and menacing by the Madras Police Department regarding a May 6, 2009, incident where, as observed on school surveillance video, Wojtusik deliberately placed several .22 caliber bullets in the hallway of the Jefferson County Middle School. Wojtusik's conduct had the effect of placing students and staff in fear of possible violence. On May 8, 2010, Wojtusik pled guilty and was subsequently convicted of one count of Disorderly Conduct 2 (ORS 166.025), a class B misdemeanor.
- 3. Wojtusik cooperated with the Commission during its investigation. During his interview with Commission Investigators, Wojtusik indicated he had been under considerable stress at the time of the event. Wojtusik advised he had sought professional treatment to help him in dealing with this stress and has successfully completed any related treatment.

20 ///21 IT IS SO STIPULATED:

Timothy Wojtusik

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26 Victoria Chamberlain, Executive Director

Teacher Standards and Practices Commission

CONCLUSION OF LAW

Timothy Wojtusik deliberately placed .22 caliber ammunition in the hallway of the Jefferson County Middle School, causing alarm and fear of possible violence for both students and staff. Wojtusik pled guilty and was subsequently convicted of one count of Disorderly Conduct 2 (ORS 166.025), a class B misdemeanor. This 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). This conduct also

1	constitutes gross unfitness in violation of ORS 342.175(1)(c); OAR 584-020-
2	0040(5)(c)(Conviction of violating any federal, state, or local law. A conviction
3	includes any final judgment of conviction by a court whether as the result of guilty
4	plea, no contest plea or any other means), OAR 584-020-0040(5)(e) (Admission of or
5	engaging in acts constituting criminal conduct, even in the absence of a conviction).
6	The Commission's authority to impose discipline in this matter is based upon
7	ORS 342.175.
8	ORDER
9	The Commission adopts and incorporates herein the above findings of fact and
10	conclusions of law, and based thereon, imposes a Public Reprimand on Timothy
11	Wojtusik's Standard Teaching License, and imposes a two year probation period to begin
12	upon the renewal of Wojtusik's teaching license, should he apply for and receive renewal
13	or any other educator license or registration. Wojtusik's probation is subject to the
14	following terms and conditions of probation:
15	1. Wojtusik will submit documentation that he completed/met all terms of his
16	bench probation.
17	2. Wojtusik shall comply with the Standards for Competent and Ethical
18	Performance of Oregon Educators under Oregon Administrative Rules
19	Chapter 584, Division 020.
20	Violation of any term or condition of probation shall constitute an independent basis for
21	the Commission to revoke Wojtusik's teaching license or otherwise impose discipline,
22	after first providing Wojtusik with notice and opportunity for hearing.
23	Issued and dated this day of July, 2012.
24 25	TEACHER STANDARDS AND PRACTICES COMMISSION STATE OF OREGON
26 27 28	By <u>January hamberlain</u> , Executive Director