

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

3   In the Matter of the                                    )       STIPULATION OF FACTS,  
4   Teaching License of                                   )       AND FINAL ORDER OF REPRIMAND  
5   JOSEPH MICHAEL MAUCK                               )       AND PROBATION

6  
7           On March 3, 2009 the Teacher Standards and Practices Commission (Commission)  
8   received a report from Maureen Sloan, Human Resources Counsel for Portland Public Schools,  
9   indicating that Joseph Michael Mauck (Mauck) used school district computers to access  
10  inappropriate content on the internet.

11           After review of the matters alleged, Mauck and the Commission agree that their  
12  respective interests, together with the public interest, are best served by a stipulation to certain  
13  facts and imposition of a Public Reprimand with a two-year probation period upon his teaching  
14  license.

15           This document sets forth the facts upon which the parties have agreed and the  
16  stipulated sanction to be imposed. Mauck stipulates that there is sufficient evidence in the  
17  Commission’s files and records to support the findings of fact, conclusions of law, and order set  
18  forth below.

19           By signing below, Mauck acknowledges, understands, stipulates, and agrees to the  
20  following: (i) he has been fully advised of his rights to notice and a hearing to contest the  
21  findings of fact, conclusions of law, and order set forth below, and fully and finally waives all  
22  such rights and any rights to appeal or otherwise challenge this Stipulation of Facts, Order of  
23  Reprimand and Probation (Stipulation and Final Order); (ii) this Stipulation and Final Order is a  
24  public document and disclosed to the public upon request by the Commission; (iii) this  
25  Stipulation and Final Order is contingent upon and subject to approval and adoption by the  
26  Commission. If the Commission does not approve and adopt this Stipulation and Final Order,  
27  then neither Mauck nor the Commission are bound by the terms herein; (iv) he has fully read  
28  this Stipulation and Final Order, and understands it completely; (v) he voluntarily, without any

1 force or duress, enters into this Stipulation and Final Order and consents to issuance and entry  
2 of the Stipulated Final Order below; (vi) he states that no promises or representation has been  
3 made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an  
4 attorney regarding this Stipulation and Final Order and has been fully advised with regard to his  
5 rights thereto, or waives any and all rights to consult with an attorney prior to entering into this  
6 Stipulation and Final Order and issuance and entry of the Stipulated Final Order below. This  
7 stipulation is contingent upon approval and adoption of the Order by the Commission. Mauck  
8 understands that the probation will be subject to specific terms and conditions. If the  
9 Commission does not adopt this Order, neither Mauck nor the Commission are bound by these  
10 Stipulations and Mauck retains all rights to a hearing on the allegations.

11 **STIPULATION OF FACTS**

12 1. The Commission has licensed Mauck since August 5, 2004. Mr. Mauck currently  
13 holds a Five-Year Career and Technical Teaching License issued February 1, 2008, and valid  
14 through November 9, 2012, with endorsements in Construction and Manufacturing Technology.  
15 During all relevant times, Mauck was employed by the Portland Public Schools School District.

16 2. Between January and February of 2009, Mauck utilized a school district computer to  
17 access sexually explicit materials via the internet.

18 3. Mauck accessed such material from his office. No students or other staff were  
19 present or exposed to the material that Mauck accessed.

20 4. In 2010, Mauck completed a related psychological evaluation that determined that it is  
21 unlikely that Mauck will repeat such conduct.

22 5. Mauck has been contrite and has fully cooperated with the Commission investigation.

23 IT IS SO STIPULATED:

24 Joseph Michael Mauck  
25 Joseph Michael Mauck

8-22-12  
Date

26 Victoria Chamberlain  
27 Victoria Chamberlain, Executive Director

8-6-12  
Date

1 Teacher Standards and Practices Commission

2 **CONCLUSION OF LAW**

3 Joseph Michael Mauck used a school district computer to access sexually explicit  
4 material. This conduct constitutes Gross Neglect of Duty in violation of ORS 342.175, OAR  
5 584-020-0040(4)(n) as it OAR 584-020-0010(5) (Use professional judgment); and OAR 584-  
6 020-0040(4)(q) (Knowing and unauthorized use of school computer equipment to receive, store,  
7 produce or send sexually explicit materials). The Commission's authority to impose discipline in  
8 this matter is based upon ORS 342.175.

9 **ORDER**

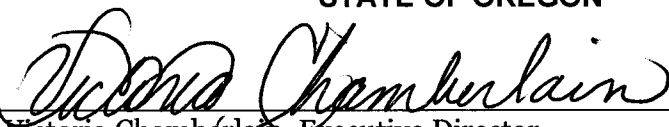
10 The Commission adopts and incorporates herein the above findings of fact and  
11 conclusion of law, and based thereon, hereby imposes a Public Reprimand upon the Teaching  
12 License of Joseph Michael Mauck and imposes a two year probation period to commence the  
13 date of adoption of this order and subject to the following terms and conditions of probation:

14 1. Mauck shall comply with the Standards for Competent and Ethical Performance of  
15 Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020.

16 Violation of any term or condition of probation shall constitute an independent basis for the  
17 Commission to revoke Mauck's teaching license or otherwise impose discipline, after first  
18 providing Mauck with notice and opportunity for hearing.

19 IT IS SO ORDERED this 5<sup>th</sup> day of November, 2012.

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

22 By   
23 Victoria Chamberlain, Executive Director  
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