

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

3 In the Matter of the) STIPULATION OF FACTS,
4 Licensure of) SURRENDER AND FINAL
5 STEVEN MARK LYELL) ORDER OF REVOCATION

6 On or about February 14, 2006, the Teacher Standards and Practices Commission
7 (Commission) received a report from Christy M. Perry, Superintendent, Dallas School District,
8 indicating that Steven Mark Lyell (Lyell) engaged in inappropriate and unprofessional conduct
9 with a female student while serving as a substitute teacher for the District.

10 After review of the matters alleged, Mr. Lyell and the Commission agree that their
11 respective interests, together with the public interest, are best served by a stipulation to certain
12 facts, the acceptance of Mr. Lyell's offer to surrender his teaching license, and the revocation of
13 licensure.

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

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

1 of the Stipulated Final Order below; (vi) he states that no promises or representation has been
2 made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an
3 attorney regarding this Stipulation and Final Order and has been fully advised with regard to his
4 rights thereto, or waives any and all rights to consult with an attorney prior to entering into this
5 Stipulation and Final Order and issuance and entry of the Stipulated Final Order below.

6 This stipulation is contingent upon approval and adoption of the Order by the
7 Commission. If the Commission does not adopt this Order, neither Mr. Lyell nor the
8 Commission are bound by these Stipulations and Mr. Lyell retains all rights to a hearing on the
9 allegations.

10 **STIPULATION OF FACTS**

11 1. Mr. Lyell has been licensed by the Commission since July 1, 1969. Mr. Lyell holds a
12 Standard Teaching License issued May 29, 2003, valid through May 20, 2008, with Basic
13 Elementary and Standard Social Studies Endorsements. Mr. Lyell held a Standard Personnel
14 Service License with a Standard Counselor Endorsement from 1977 to May 20, 2006. Mr. Lyell
15 did not apply to renew his Standard Personnel Service License. Mr. Lyell has no history of
16 license-related discipline.

17 2. Mr. Lyell served as a Social Studies Teacher and a School Counselor in the La
18 Grande School District from 1969 to 1977.

19 3. Mr. Lyell served primarily as a School Counselor for the Dallas School District at
20 Dallas High School from September of 1977 until retirement on June 30, 1999.

21 4. In January of 2006 Mr. Lyell conducted an "informal" biology tutoring session for
22 female high school student in his home and engaged in inappropriate conversations with the
23 female student about her sexual activity.

24 5. Mr. Lyell admitted to Dallas High School administrators that he used binoculars to look
25 into the female high school student's bedroom window from inside his home. Mr. Lyell
26 discussed his viewing activity with the female student.

1 6. On January 31, 2006, Mr. Lyell contacted the female high school student at Dallas
2 High School and asked her not to tell anyone what he had said.

3 7. Mr. Lyell has expressed great remorse for his actions, and has cooperated with the
4 TSPC investigation into this matter.

5 **IT IS SO STIPULATED AND AGREED TO:**

6 Steven Mark Lyell 10/19/06
7 Steven Mark Lyell Date

8 Victoria Chamberlain 11-03-06
9 Victoria Chamberlain, Executive Director Date
10 Teacher Standards and Practices Commission

11 **CONCLUSIONS OF LAW**

12 Steven Mark Lyell's inappropriate verbal contact with and conduct toward the female
13 high school student constitutes Gross Neglect of Duty in violation of OAR 584-020-0040(4)(f)
14 and OAR 584-020-0040(o) as it incorporates OAR 584-020-0035(1)(c). The Commission has
15 the authority to impose discipline in this matter is based upon ORS 342.120 through ORS
16 342.430 and OAR Chapter 584.

17 **FINAL ORDER**

18 The Commission adopts and incorporates herein the above findings of fact and
19 conclusion of law, based thereon, hereby accepts the surrender of Mr. Lyell's teaching license,
20 and orders the revocation of the licensure of Steven Mark Lyell.

21 Issued and dated this 3 day of November, 2006.

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

24
25 BY Victoria Chamberlain
26 Victoria Chamberlain, Executive Director

27
28 Approved as to form.

29 Adam Arms
30 Adam Arms, OSB#01018
31 Attorney for Steven Mark Lyell

{101606}