



1 computer s for this purpose occurred between January 1997 and February 1998. These activities  
2 involved accessing hundreds of pornographic sites.

3 4. When confronted by the school district, Mr. Hurt admitted that he had used school  
4 district computers for this purpose and without authorization.

5 5. There is no evidence that Mr. Hurt engaged in this activity during regular school  
6 hours, and there is no evidence that students were exposed to any of the pornographic materials  
7 or were aware of Mr. Hurt's activities.

8 6. On February 24, 1998, the school district issued to Mr. Hurt a Letter of  
9 Reprimand and a Last Chance Agreement. The district required Mr. Hurt to lose his Internet  
10 privileges for an indeterminate period, prohibited him from supervising Saturday school or from  
11 having access to school premises outside the regular work days without gaining specific  
12 administrative approval, and required Mr. Hurt to undergo a psychological assessment and to  
13 engage in a program of counseling. The Last Chance Agreement states that repeating this  
14 behavior would serve as sufficient cause for immediate dismissal.

15 7. Mr. Hurt was examined by Stephen S. Scherr, Ph.D., a licensed clinical  
16 psychologist. Dr. Scherr administered psychological testing and engaged in interviews with  
17 Mr. Hurt. Dr. Scherr issued a written report dated April 6, 1998. In that report, Dr. Scherr  
18 concluded that Mr. Hurt suffered from depression. He recommended ongoing psychotherapy  
19 and concluded that Mr. Hurt had a good prognosis for dealing with his depression and problems

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1 in his marriage. Dr. Scherr expressed the opinion that Mr. Hurt has not been and will not be a  
2 danger to students or staff at his school. Dr. Scherr observed that Mr. Hurt was extremely  
3 embarrassed and remorseful.

4 Randall William Hurt 11/18/98  
5 Randall William Hurt Date

6  
7 David V. Myton 11/24/98  
8 David V. Myton, Executive Director Date  
9 Teacher Standards and Practices Commission

10 **ULTIMATE FINDINGS OF FACT**

11 Randall W. Hurt accessed sexually explicit materials on school district computers without  
12 authority and in violation of school district policies.

13 **CONCLUSION OF LAW**

14 The above conduct constitutes gross neglect of duty in violation of OAR 584-020-  
15 0040(4)(b).

16 **DISCUSSION**

17 The Commission considers Mr. Hurt's actions to be a serious violation of Commission  
18 standards. Based on this, the Commission will impose a period of suspension. The length of the  
19 suspension in this case is relatively short based on the following mitigating circumstances:  
20 Mr. Hurt has an unblemished teaching record of 20 years; the district elected not to dismiss  
21 Mr. Hurt and he is apparently a valued employee; an extended period of suspension could work a  
22 hardship to the district and to Mr. Hurt's students; Dr. Scherr believes that Mr. Hurt is unlikely to  
23 repeat this conduct, does not have a sexual abnormality and is likely to be responsive to

1 counseling; Mr. Hurt has expressed what appears to be genuine remorse; no students were  
2 exposed to any pornographic materials. Based on these considerations, the Commission imposes  
3 a relatively short-term suspension and a period of probation.

4 **ORDER**

5 The teaching license of Randall W. Hurt will be suspended for a period of 15 days from  
6 December 19, 1998 through January 2, 1999. Upon reinstatement, Mr. Hurt shall be placed on  
7 probation to the Commission for a period of two years. Conditions of probation shall be as  
8 follows:

9 1. Mr. Hurt shall comply with all standards of competent and ethical performance  
10 under OAR 584, Division 20.

11 2. Mr. Hurt shall at his own expense continue with psychotherapy and/or counseling  
12 for such period of time as his therapist recommends. Mr. Hurt shall comply with all directives  
13 and recommendations of his therapist.

14 3. Mr. Hurt shall supply the Executive Director of the Commission with the name  
15 and address of his treating therapist. Mr. Hurt shall consent that the Executive Director or his  
16 designee may contact Mr. Hurt's treating therapist to determine whether Mr. Hurt is cooperating  
17 and complying with recommendations of the therapist. Mr. Hurt shall sign a consent for release  
18 of information, permitting the Commission to receive records of the therapist and to discuss  
19 Mr. Hurt's treatment with the therapist.

20 4. Mr. Hurt shall comply with all requirements of the Last Chance Agreement with  
21 the Gresham-Barlow School District.

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