## BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION

OF	THE	<b>STATE</b>	OF	ORF	GON
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3	In the Matter of the	)	STIPULATION OF FACTS,
ŀ	Teaching License of	and the state of t	FINAL ORDER OF REPRIMAND
5	SHANE ALAN MOFFITT	)	AND PROBATION

On or about October 16, 2006, the Teacher Standards and Practices Commission (Commission) received a report from Robert Wadlow, Superintendent, Jefferson School District, indicating that Shane Alan Moffitt (Moffitt) used district computer systems to access sexually explicit materials.

Mr. Moffitt fully cooperated with the Commission's investigation. After review of the matters alleged, Mr. Moffitt and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts, the imposition of a Public Reprimand and a two (2) year probation.

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

By signing below, Mr. Moffitt 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, Final Order of Reprimand and Probation (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 Mr. Moffitt 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 promises or representation has been made to induce him to sign this Stipulation and Final Order; and

Page 1 STIPULATION OF FACTS, FINAL ORDER OF REPRIMAND AND PROBATION - MOFFITT

1	(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
3	to entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order
4	below.
5	STIPULATION OF FACTS
6	1. The Commission has licensed Shane Alan Moffitt since October 5, 2004. Mr. Moffitt
7	currently holds a Basic Teaching License valid October 5, 2004, through September 4, 2007, with a
8	Endorsement in Basic Elementary Education.
9	2. During the Fall Semester of 2006 Mr. Moffitt used a district owned computer in his
10	classroom to access sexually explicit web sites.
11	3. There is no evidence that students were exposed to this material.
12 13 14 16 16	TI IS SO STIPULATED:  Shane Alan Moffitt  Shane Alan Moffitt  Victoria Chamberlain, Executive Director  Teacher Standards and Practices Commission
18	CONCLUSIONS OF LAW
19	Shane Alan Moffitt violated OAR 584-020-0040(4)(q) by using school computer equipment to
20	access sexually explicit materials. This misconduct constitutes Gross Neglect of Duty. The
21	Commission has authority to impose discipline in this matter under ORS 342.120 through 342.430
22	and OAR Chapter 584.
23	ORDER
24	The Commission hereby adopts and incorporates herein the above findings of fact and
25	imposes a Public Reprimand on Shane Alan Moffitt. This Stipulation of Facts, Order and Probation
26	constitute the Reprimand.

1	Furthermore, the Commission imposes a two (2) year probation upon Mr. Moffitt requiring tha
	Mr. Moffitt comply with all Standards for Competent and Ethical Performance under Oregon
3	Administrative Rules, Chapter 584, Division 020.
4	Violation of the terms of this probation may constitute an independent basis for the
5	Commission to impose discipline, up to and including revocation of Mr. Moffitt's teaching license
6	subject to Mr. Moffitt's right to a hearing on the issue of whether he violated probation.
7	Issued and dated this day of August, 2007.
8 9	TEACHER STANDARDS AND PRACTICES COMMISSION STATE OF OREGON
10 11 12	By War Jamberlain, Executive Director
13	Approved as to form:
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16 1 <b>2</b>	Adam Arms, OSB #010186 Attorney for Shane Alan Moffitt
	ATTOTOEV for Shane Alan Mottitt