## BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION

## OF THE STATE OF OREGON

In the Matter of the	) S	STIPULATION OF FACTS,	
Teaching License of	) F	INAL ORDER OF SUSPENSI	ON
LEONARD DEAN HACKETT	) A	ND PROBATION	

On or about April 18, 2006, the Teacher Standards and Practices Commission

(Commission) received a report from Kathryn Baker, Superintendent, Salem-Keizer Public Schools, indicating that Leonard Dean Hackett (Hackett) used his school computer to access sexually explicit material on the Internet.

After review of the matters alleged, Mr. Hackett 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 ninety (90) day suspension of licensure followed by a four (4) year period of probation upon reinstatement of Licensure.

This document sets forth the facts upon which the parties have stipulated and the stipulated sanction to be imposed. Mr. Hackett 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. Hackett 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, Order of Suspension 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. Hackett 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

1 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 (vii) he has consulted with an attorney regarding this Stipulation and Final Order and has been fully advised with regard to 4 his rights thereto, or waives any and all rights to consult with an attorney prior to entering into 5 this Stipulation and Final Order and issuance and entry of the Stipulated Final Order below. Mr. 6 Hackett understands that the probation will be subject to specific conditions. 7 This stipulation is contingent upon approval and adoption of the Order by the 8 Commission. If the Commission does not adopt this Order, neither Mr. Hackett nor the 9 Commission are bound by these Stipulations and Mr. Hackett retains all rights to a hearing on

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the allegations.

## STIPULATION OF FACTS

- Mr. Hackett has been licensed by the Commission since August 30, 2004. Mr.
   Hackett holds an Initial Teaching License issued November 28, 2005, valid through June 22, 2009, with Multiple Subjects and Social Studies Endorsements.
- 2. Mr. Hackett began contract employment with Salem-Keizer Public Schools on August 31, 2004. Mr. Hackett taught Social Studies at Claggett Middle School during the 2004-2005 and 2005-2006 school years. Mr. Hackett resigned his teaching position in lieu of dismissal effective April 11, 2006.
- 3. A District-owned computer with Internet access was present in Mr. Hackett's classroom for his use in connection with his assigned responsibilities. The District has an acceptable use policy. The District's policy prohibits the use or attempted use of equipment for Internet access of sexually explicit materials.
- 4. Mr. Hackett used his classroom computer periodically to access sexually explicit materials through the District's Internet connection in violation of District policy regarding Internet use.

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1	IT IS SO STIPULATED AND AGREED TO:		
2 3 4 5	Leonard Dean Hackett  7/13 / 200 6  Date		
6 7 8 9 10 11 12	Victoria Chamberlain, Executive Director Teacher Standards and Practices Commission  Teacher Standards and Practices Commission		
13	ULTIMATE FINDING OF FACT		
14	Leonard Dean Hackett used the computer equipment owned by his employer, Salem-		
15	Keizer Public Schools, located on school premises, to access sexually explicit materials. Mr.		
16	Hackett was aware that accessing such materials at the workplace using a District owned		
17	computer was inappropriate and in violation of District policy.		
18	CONCLUSION OF LAW		
19	Leonard Dean Hackett's inappropriate use of a District computer constitutes Gross		
20	Neglect of Duty in violation of OAR 584-020-0040(4)(q). The Commission's authority to impose		
-21	discipline in this matter is based upon ORS 342.175.		
22	FINAL ORDER		
23	The Commission adopts and incorporates herein the above findings of fact and		
24	conclusion of law, based thereon, hereby orders that Leonard Dean Hackett's Initial Teaching		
25	License is suspended for a period of ninety (90) days effective August 4, 2006. At the end of		
26	this suspension period,		
27	Mr. Hackett's Initial Teaching License will be reinstated upon:		
28	1. Submission of a complete application and fees pursuant to OAR 584-050-0015(3);		
29	and		
30	2. Submission of documentation that he has undergone an evaluation by a		
31	psychotherapist or medical professional acceptable to the Commission, and the evaluator		
.32	submits a written report to the Commission attesting (a) Mr. Hackett is fit to work with children		
-33	and teenagers, and (b) there is a high probability he will not use school district equipment to		

1	access sexually explicit materials or engage in similar inappropriate behavior. Any costs
2	associated with the assessment or treatment will be the responsibility of Mr. Hackett.
3	Upon the reinstatement of licensure, Mr. Hackett shall be placed on probation by the
4	Commission for a period of four (4) years, subject to the following conditions:
5	a. Mr. Hackett shall substantially comply with any treatment or counseling as
6	recommended by the individual who completed the evaluation described above. Mr. Hackett
7	shall authorize and sign any consent forms as necessary for the treatment provider or counselo
8	to furnish records to or discuss Mr. Hackett's treatment with the Commission.
9	b. Mr. Hackett shall comply with all Standards for Competent and Ethical Performance
10	of Oregon Educators under Oregon Administrative Rules, Chapter 584, Division 020.
11	c. Mr. Hackett shall provide information as requested by the Commission to verify that
12	he has complied with the conditions of probation, including a statement from a future employing
13	district that he has complied with the Standards for Competent and Ethical Performance of
14	Oregon Educators.
15	Violation of the terms of this probation may constitute an independent basis for the
16	Commission to impose discipline, up to and including revocation of Mr. Hackett's teaching
17	license subject to Mr. Hackett's right to a hearing on the issue of whether he violated probation.
18	Issued and dated this day of August, 2006.
19 20 21	TEACHER STANDARDS AND PRACTICES COMMISSION STATE OF OREGON
22 23	By John Namberlain Victoria Chamberlain, Executive Director
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25	Approved as to form:
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27 28 (	Address Armes COODWOALDA
	Adam Arms, OSB#01018 Attorney for Leonard Dean Hackett [062006]