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

In the Matter of the) STIPULATION OF FACTS AND
Teaching License of) FINAL ORDER OF SUSPENSION
MARY JEAN IOVINO) OF LICENSE

On or about October 13, 2011, the Teacher Standards and Practices Commission (Commission) received a report from the Bend-LaPine School District that Mary Jean Iovino may have violated Standards for Competent and Ethical Performance of Oregon Educators related to a laptop computer owned by the school district.

After review of the matters alleged, Iovino 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 90 day suspension of Iovino’s Standard Teaching License.

By signing below, Iovino acknowledges, understands, stipulates, and agrees to the following: (i) she has been fully advised of her 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 and Final Order of Suspension of License (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to the public upon request to 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 Iovino nor the Commission are bound by the terms herein; (iv) she has fully read this Stipulation and Final Order, and understands it completely; (v) she 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) she states that no promise or representation has been made to induce her to sign this Stipulation and Final Order; and

1 (vii) she has consulted with an attorney regarding this Stipulation and Final Order and
2 has been fully advised with regard to her rights thereto, or waives any and all rights to
3 consult with an attorney prior to entering into this Stipulation and Final Order and
4 issuance and entry of the Stipulated Final Order below.

5 **STIPULATION OF FACTS**

- 6 1. The Commission has licensed Iovino as a teacher in Oregon since January 9, 1995.
7 Iovino's current Standard Teaching License, with an endorsement in Standard
8 Elementary (preK-Grade 9), issued on May 31, 2011, is valid until May 30, 2016.
9 During all relevant times, Iovino was employed by the Bend-LaPine School District,
10 for sixteen years.
- 11 2. In approximately 2006, the district assigned Iovino and other district educators,
12 laptops to be taken back and forth from school to home. The district also maintained
13 laptops on carts for use by students and other staff. All district laptops were heavily
14 used.
- 15 3. In approximately the spring of 2010, the operating system on Iovino's laptop crashed
16 and the laptop was regularly malfunctioning. The district refused to replace Iovino's
17 laptop. Therefore, without permission from the district, Iovino borrowed one of the
18 laptops from the carts.
- 19 4. In January of 2011, the district sent two emails advising staff that two computers
20 were missing from the carts and requesting that all laptops taken from the carts be
21 returned. Records indicate Iovino opened one of the two emails on November 17,
22 2010 at 9:07 am and the other email was not opened. Iovino did not return the
23 laptop she had taken from the carts, nor did she inform the district that it was in her
24 possession, because it had crashed at her house and she stated she was worried she
25 would get into trouble. The other missing laptop was returned.
- 26 5. In approximately March of 2011, the district reported to the School Resource Officer
27 that a laptop was still missing from the carts and had not been returned in response
28 to the all-staff emails.
- 29 6. On March 7, 2011, the School Resource Officer questioned Iovino about the missing
30 laptop. At that time, Iovino was forthcoming with the officer and agreed to go home
31 and bring in the laptop.
- 32 7. Iovino resigned from her position with the district effective August 18, 2011.
33 ///

1 IT IS SO STIPULATED:

2 Mary A. Iovino
3
4 Mary Jean Iovino

6/13/12
Date

5 Victoria Chamberlain
6
7 Victoria Chamberlain, Executive Director
8 Teacher Standards and Practices Commission

6-21-12
Date

9 **CONCLUSION OF LAW**

10 Iovino unlawfully retained a District laptop. This conduct constitutes gross neglect of
11 duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-
12 020-0010(5) (*Use of professional judgment*) and OAR 584-020-0025(2)(b)(*Use of District*
13 *property*) and OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(4)(a)(Use of
14 District Equipment).

15 **ORDER**

16 The Commission adopts and incorporates herein the above findings of fact and
17 conclusions of law, and based thereon, imposes a 90 day suspension on Mary Jean
18 Iovino's Standard Teaching License.

19 Issued and dated this 20th day of July, 2012.

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

22 By Victoria Chamberlain
23 Victoria Chamberlain, Executive Director
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