

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

3 In the Matter of the  
4 Teaching License of  
5 TODD FLOCCHINI,

STIPULATION OF FACTS  
AND ORDER

6 The Teacher Standards and Practices Commission (Commission) proposes to suspend the  
7 Oregon Teaching Certificate of Todd Flocchini (Flocchini) upon certain allegations. The parties  
8 have reviewed together the matters alleged, and have agreed that their respective interests,  
9 together with the public interest, are best served by stipulation to the facts set forth below and the  
10 voluntary suspension of Flocchini's certificate for one year.

11 **STIPULATED FACTS**

12 1. Flocchini was employed as a high school teacher with the Klamath Falls City  
13 School district in Klamath Falls, Oregon, from approximately September 1992 to November 2,  
14 1998.

15 2. On or about September 4, 1998, Flocchini was placed on administrative leave from his  
16 duties as a teacher with the school district based upon allegations by a student and her mother  
17 that Flocchini had had inappropriate physical contact with the student.

18 3. On the advice of counsel, the District reported the allegations to the Oregon State  
19 Police Department which conducted an investigation and prepared a report. The District  
20 Attorney did not file criminal charges against Flocchini.

21 4. Based on the allegations, the school district also conducted an investigation after  
22 which it notified Flocchini by letter dated November 2, 1998, that he had been reinstated to his  
23 teaching position. On that same date, the school district accepted Flocchini's resignation. The

1 school district notified the Commission of Flocchini's resignation on November 2, 1998 and  
2 advised the Commission that the teacher denied any misconduct.

3 5. As a settlement in this matter, Flocchini denies the allegations but agrees that  
4 there is evidence in the record for the Commission to find and the Commission does find that he  
5 had inappropriate physical contact with the student on or about September 1, 1998. The  
6 Commission will find that the alleged activity constitutes gross neglect of duty under OAR 584-  
7 020-0040(4).

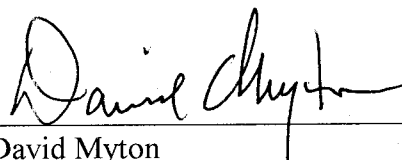
8 6. As a settlement in this matter, Flocchini denies the allegations but agrees there is  
9 evidence in the record for the Commission to find and the Commission does find that during the  
10 academic years of 1994 through 1997 he made inappropriate comments of a personal nature to a  
11 female student. The Commission will find that alleged activity constitutes gross neglect of duty  
12 under OAR 584-020-0040(4).

13 7. Flocchini's teaching license will be suspended for the period of one year  
14 beginning on the date of the Order.

15 8. This Stipulation and Order are contingent upon approval by the full Commission  
16 at the Commission's meeting scheduled for January 2000. If the Commission does not approve  
17 the Stipulation and Order, the matter shall be scheduled for hearing and Flocchini shall not  
18 bound by any matter in this Proposed Stipulation.

19 IT IS SO STIPULATED:

20  
21   
Todd Flocchini  
11/22/99  
Date

22   
David Myton  
Executive Secretary  
Teacher Standards and Practices Commission  
1/4/00  
Date

1 **ORDER**

2 Based upon the foregoing Stipulation, it is ordered:

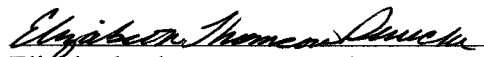
3 The Teacher Standards and Practices Commission places Todd Flocchini on suspension  
4 for a period of one year beginning on January 19, 2000.

5 IT IS SO ORDERED this 19<sup>th</sup> day of January 2000.

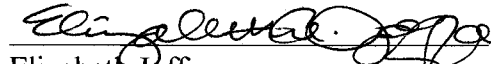
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8 David V. Myton, Executive Director  
Teacher Standards and Practices Commission

9 APPROVED AS TO FORM:

10   
11 Elizabeth Thomson Denecke  
12 Assistant Attorney General

11/30/99  
Date

13   
14 Elizabeth Joffe  
15 Bennett Hartman and Reynolds  
16 Attorney for Todd Flocchini

11/29/99  
Date