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

In the Matter of the ) STIPULATION OF FACTS,  
Teaching License of ) ORDER OF SUSPENSION  
ROBERT RHEAULT ) AND PROBATION

On or about September 8, 2000, the Teacher Standards and Practices Commission (Commission) notified Robert Rheault that a report had been filed alleging the Mr. Rheault misused his school computer to access sexually explicit material over the internet. Walt Blomberg, Director of Personnel, Woodburn School District, submitted the report.

Mr. Rheault fully cooperated with the Commission's investigation and did not contest the allegations. After review of the matters alleged, Mr. Rheault 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 thirty (30) day suspension, followed by a period of probation of two (2) years. This Order sets forth the facts upon which the parties have agreed and the sanction to be imposed. In entering into this stipulation, Mr. Rheault waives the right to a hearing to contest the finding of fact, conclusion of law and order set forth below.

**STIPULATION OF FACTS**

1. Mr. Rheault holds an Oregon Initial Teaching License. He is employed, beginning August 11, 2000, by the Woodburn School District as a first grade teacher in an English transition program.

1 2. During the 2000-2001 school year, a District-owned computer with Internet  
2 access was present in Mr. Rheault's classroom for his use in connection with his  
3 assigned responsibilities.

4 3. Mr. Rheault used his classroom computer on August 24, 2000, from  
5 approximately 5:23 p.m. until 6:13 p.m., to access sexually explicit material through the  
6 District's Internet connection in violation of District policy regarding Internet use. No  
7 students were present at the time Mr. Rheault viewed these materials on the computer,  
8 nor was there any risk of students viewing inappropriate material. He viewed the  
9 material during non-student contact hours on his own time. He believed his actions  
10 were private, but realizes that he should not have used the District computer for viewing  
11 sexually explicit materials and has expressed remorse for doing so.

12 4. Mr. Rheault has never denied his actions with the School District or TSPC.  
13 He has accepted responsibility and acknowledges his mistake.

14 **ULTIMATE FINDING OF FACT**

15 Robert Rheault used the computer equipment owned by his employer Woodburn  
16 Public Schools, located on school premises, to access sexually explicit materials.  
17 Although Mr. Rheault believed his conduct was private, he should have known that  
18 accessing such materials at the workplace with a District owned computer was  
19 inappropriate and against District policy.

20 **CONCLUSION OF LAW**

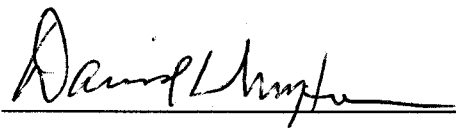
21 Robert Rheault's activities constitute gross neglect of duty in violation of OAR  
22 584-020-0040(4)(q).

1 This stipulation is contingent upon approval and adoption of the Order by the  
2 Commission. If the Commission does not adopt this Order, neither Mr. Rheault nor the  
3 Commission are bound by these Stipulations and Mr. Rheault retains all rights to a  
4 hearing on the allegations.

5 IT IS SO STIPULATED:

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\_\_\_\_\_ 12/14/00  
Date

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\_\_\_\_\_

\_\_\_\_\_ 11/28/00  
Date

10 David V. Myton Executive Director  
11 Teacher Standards and Practices Commission

12  
13 **ORDER**

14 The Oregon Initial Teaching License of Robert Rheault is suspended for a period  
15 of thirty (30) days from January 12, 2001. At the end of this suspension period, Mr.  
16 Rheault's teaching license will be reinstated upon application and showing by Mr.  
17 Rheault that he has undergone an evaluation at his own expense by a psychotherapist  
18 or medical professional acceptable to the Commission, and the evaluator submits a  
19 written report to the Commission attesting (1) Mr. Rheault is fit to work with children and  
20 teenagers, and (2) there is a high probability he will not use school district equipment to  
21 access sexually explicit materials or engage in similar inappropriate behavior.

1 Following the reinstatement of his teaching license, Mr. Rheault shall be placed  
2 on probation by the Commission for a period of two (2) years subject to the following  
3 conditions:

4 1. Mr. Rheault shall substantially comply with any treatment or counseling as  
5 recommended by the individual who completed the evaluation described above. Mr.  
6 Rheault shall authorize and sign any consent forms as necessary for the treatment  
7 provider or counselor to furnish records to or discuss Mr. Rheault's treatment with the  
8 Commission.

9 2. Mr. Rheault shall comply with all Standards for Competent and Ethical  
10 Performance under Chapter OAR 584, Division 020.

11 3. Mr. Rheault shall provide information as requested by the Commission to  
12 verify that he has complied with the conditions of probation, including a statement from  
13 his employing district that he has complied with the St Standards for Competent and  
14 Ethical Performance under Chapter OAR 584, Division 020.

15 4. Violation of the terms of this probation may constitute an independent basis  
16 for the Commission to impose discipline, up to and including revocation of Mr. Rheault's  
17 teaching license subject Mr. Rheault's right to a hearing on the issue of whether he  
18 violated probation.

19 Dated this 25<sup>th</sup> day of January 2001

20 TEACHER STANDARDS AND PRACTICES COMMISSION

21  
22 By: 

23 David V. Myton, Executive Director