

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 ERIC J. HUTLEY

STIPULATION OF FACTS, CONCLUSION OF
LAW, AND ORDER OF SURRENDER AND
REVOCATION

6 On or about March 15, 1999, the Teacher Standards and Practices Commission
7 (Commission) issued a Notice of Opportunity for hearing to Eric J. Hutley (Hutley) in which the
8 Commission proposed to take disciplinary action against Hutley under ORS 342.177. The basis
9 for the proposed action was Hutley alleged misconduct regarding school real and personal
10 property and his criminal conviction of Burglary II, a felony.

11 The Commission and Hutley have now reviewed the matters alleged and have agreed that
12 their respective interests, together with the public interest, are best served by entering this
13 Stipulated Order and Findings of Fact. In entering these stipulations, Hutley waives his right to a
14 hearing. This agreement sets forth the facts upon which the parties have agreed including the
15 Commission's order of surrender and revocation of Hutley's license.

16 FINDINGS OF FACT

17 1. Hutley holds a basic teaching license valid until May 25, 2001.

18 2. Hutley worked for the Jefferson School District beginning in 1992 and at the
19 Jefferson County Middle School beginning in 1994.

20 3. During the weekend of April 12 and 13, 1997 Jefferson County Middle School
21 was burglarized. Confidential files were taken from the office of the school counselor. Some of
22 the files taken contained reports from students regarding Hutley.

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1 4. The burglary remained unsolved for a period of several months. Then in October
2 1997 Hutley was arrested and in November 1997 was charged with nine crimes related to the
3 burglary and theft at the Jefferson Middle School in April 1997.

4 5. Shortly after being arrested, Hutley was placed on administrative leave and
5 effective December 19, 1997, Hutley was dismissed.

6 6. On June 29, 1998, Hutley pled guilty to Burglary II, a felony, based on his
7 breaking and entering into the school counselor's office and committing theft of counselor files.
8 In return for the guilty plea, all other charges were dismissed.

9 7. If Hutley were to testify before the Commission he would state: I have publicly
10 apologized for my actions and have acknowledged responsibility for and expressed absolute
11 regret for, my actions. I have paid restitution for property damage and have voluntarily attended
12 counseling. If there is anything I can or could do to further restore the damage I have done, I
13 would gladly do it.

14 Hutley surrenders his license pursuant to OAR 584-050-0027 and enters into his
15 Stipulation of Facts with the knowledge that the Commission will adopt an order revoking this
16 license. This Stipulation is contingent upon the approval and adoption of the Order by the
17 Commission. If the Commission does not adopt this order, neither Hutley nor the Commission
18 are bound by these stipulations and he retains all rights to a hearing on the allegations.

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1 IT IS SO STIPULATED:

2 Eric J. Hutley
3 Eric J. Hutley

4 August 21, 2000
Date

5 David V. Myton
6 David V. Myton
Executive Director

7 8/29/00
Date

8 **CONCLUSIONS OF LAW**

9 The conduct described in the Findings of Fact constitutes violations of OAR 584-020-
10 0040(3)(a); (4)(o); and (5)(c)(e).

11 **ORDER**

12 The Commission adopts the above Findings of Facts and Conclusions of Law, accepts the
13 surrender of his license and revokes his license. Pursuant to ORS 342.175(3) he may apply to
14 the Commission for reinstatement of his license after one year from the date of revocation.

15 DATED this 26th day of ~~August~~ Sept 2000.

16 David V. Myton
17 By: David V. Myton, Executive Director

18 Approved to form:

19 Nelson Hall
20 Nelson Hall
Attorney

21 Gary M. Cordy
22 Gary M. Cordy
23 Attorney for TSPC