

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

3 In the Matter of the) STIPULATION OF FACTS,
4 Teaching License of) ORDER OF SUSPENSION
5 ANDREW DON FARLOW) AND PROBATION

6 On or about February 2, 2005, the Teacher Standards and Practices
7 Commission (Commission) received a report from Jay Rowell, Superintendent, La
8 Grande Public Schools, indicating that Andrew Don Farlow (Farlow) used his school
9 computer to access sexually explicit material on the Internet during school time.

10 After review of the matters alleged, Mr. Farlow and the Commission agree that
11 their respective interests, together with the public interest, are best served by a
12 stipulation to certain facts and the imposition of a ninety (90) day suspension of
13 licensure followed by three (3) year period of probation upon reinstatement of licensure.

14 This Order sets forth the facts upon which the parties have agreed and the
15 sanction to be imposed. Mr. Farlow stipulates that there are sufficient facts contained in
16 the Commission's files and records to support the findings of fact and conclusions of law
17 set forth below. In entering into this stipulation, Mr. Farlow waives the right to a hearing
18 to contest the findings of fact, conclusions of law and Order set forth below. Mr. Farlow
19 understands that the probation will be subject to specific conditions.

20 This stipulation is contingent upon approval and adoption of the Order by the
21 Commission. If the Commission does not adopt this Order, neither Mr. Farlow nor the
22 Commission are bound by these stipulations and Mr. Farlow retains all rights to a
23 hearing on the allegations.

1 **STIPULATION OF FACTS**

2 1. Mr. Farlow holds an Initial Teaching License with a Physical Education
3 Endorsement, issued January 12, 2004, valid through June 9, 2007.

4 2. Mr. Farlow began employment with the La Grande Public Schools in January
5 2002. Mr. Farlow resigned his teaching position effective February 17, 2005.

6 3. A district-owned computer with Internet access was present in Mr. Farlow's
7 classroom for his use in connection with his assigned duties. The district has a clearly
8 defined, acceptable (computer) use policy. The district's policy prohibits the use or
9 attempted use of equipment for Internet access of sexually explicit materials.

10 4. Mr. Farlow used his classroom computer through the 2002-2003 school year
11 to access sexually explicit materials through the district's Internet connection in violation
12 of district policy regarding Internet use.

13 IT IS SO STIPULATED:

14 *Andrew Don Farlow*
15 Andrew Don Farlow

7/4/05
Date

16 *Victoria Chamberlain*
17 Victoria Chamberlain, Executive Director
18 Teacher Standards and Practices Commission

5-24-05
Date

19 **ULTIMATE FINDING OF FACT**

20 Andrew Don Farlow used the computer equipment owned by his employer, La
21 Grande Public Schools, located on school premises, to access sexually explicit
22 materials. Mr. Farlow was fully aware that accessing such materials at the workplace
23 using a District owned computer was inappropriate and in violation of District policy.

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CONCLUSION OF LAW

6 Andrew Don Farlow's inappropriate use of a district computer constitutes Gross
7 Neglect of Duty in violation of OAR 584-020-0040(4)(q). The Commission's authority to
8 impose discipline in this matter is based upon ORS 342.175.

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ORDER

14 Andrew Don Farlow's Initial Teaching License is suspended for a period of ninety
15 (90) days effective the date of this signed Order. At the end of this suspension period,
16 Mr. Farlow's Initial Teaching License will be reinstated upon the following conditions:

17 1. Submission of a complete application and fees pursuant to OAR 584-050-
18 0015(3); and

19 2. Submission of documentation that he has undergone an evaluation by a
20 psychotherapist or medical professional acceptable to the Commission, and the
21 evaluator submits a written report to the Commission attesting: (a) Mr. Farlow is fit to
22 work with children and teenagers; and (b) there is a high probability he will not use
23 school district equipment to access sexually explicit materials or engage in similar
24 inappropriate behavior in the future. Any costs associated with the assessment or
25 treatment will be Mr. Farlow's responsibility.

26 Upon the reinstatement of licensure, Mr. Farlow shall be placed on probation by
27 the Commission for a period of three (3) years, subject to the following conditions:

28 1. Mr. Farlow shall substantially comply with any treatment or counseling as
29 recommended by the individual who completed the evaluation described above.

30 Mr. Farlow shall authorize and sign any consent forms as necessary for the treatment
31 provider or counselor to furnish records to or discuss Mr. Farlow's treatment with the
32 Commission.

1 2. Mr. Farlow shall comply with all Standards for Competent and Ethical
2 Performance of Oregon Educators under Oregon Administrative Rules, Chapter 584,
3 Division 020.

4 3. Mr. Farlow shall provide information annually from the date of this signed
5 Order as requested by the Commission to verify that he has complied with the
6 conditions of probation, including a statement from a future employing district that he
7 has complied with the Standards for Competent and Ethical Performance of Oregon
8 Educators.

9 Violation of the terms of this probation may constitute an independent basis for
10 the Commission to impose discipline, up to and including revocation of Mr. Farlow's
11 teaching license subject to Mr. Farlow's right to a hearing on the issue of whether he
12 violated probation.

13 IT IS SO ORDERED this 9 day of August, 2005.

14 TEACHER STANDARDS AND PRACTICES COMMISSION

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16 By: *Victoria Chamberlain*
17 Victoria Chamberlain, Executive Director

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19 Approved as to form:

20 *Aruna A. Masih*
21 Aruna A. Masih, OSB#97324
22 Attorney for Andrew Don Farlow

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