

1 Allard was charged with ten counts of Encouraging Child Sex Abuse in the First
2 Degree and ten counts of Encouraging Child Sex abuse in the second degree. On
3 December 18, 2014, Allard plead guilty to and was subsequently convicted in the
4 Lane County Circuit Court of three counts of Encouraging Child Sex Abuse in the
5 First Degree, ORS 163.684, a class B felony and one count of Encouraging Child Sex
6 Abuse in the Second Degree, ORS 163.686, a class C Felony. Allard was sentenced to
7 60 months in prison, followed by probation, required to undergo sex offender
8 evaluation and treatment, and Allard must register as a sex offender.

- 9 3. Allard's convictions arose from allegations that included that Allard possessed child
10 pornography and shared / exchanged child pornography over the internet.

11 CONCLUSIONS OF LAW

12 Allard's convictions constitutes gross neglect of duty in violation of ORS
13 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use*
14 *professional judgment*); OAR 584-020-0040(1)(bb) (*ORS 163.684 – Encouraging*
15 *Child Sex Abuse in the First Degree*), and OAR 584-020-0040(1)(cc) (*ORS 163.686 –*
16 *Encouraging Child Sex Abuse in the Second Degree*). This conduct also constitutes
17 gross unfitness in violation of ORS 342.175(1)(c); OAR 584-020-0040(5)(c) (*Conviction*
18 *of violating any federal, state, or local law. A conviction includes any final judgment of*
19 *conviction by a court whether as the result of guilty plea, no contest plea or any other*
20 *means*); OAR 584-020-0040(5)(d) (*Commission of an act listed in OAR 584-020-*
21 *0040(1); and OAR 584-020-0040(5)(e) (Admission of or engaging in acts constituting*
22 *criminal conduct, even in the absence of a conviction*).

23 Pursuant to ORS 342.175(3) and OAR 584-020-0040(1) the Teacher Standards
24 and Practices Commission must revoke your license and your right to apply for a license
25 based on your conviction of any of the crimes listed in ORS 342.143(3)(a), or the
26 substantial equivalent of any of those crimes.

27 Furthermore, the conduct underlying Allard's convictions constitutes gross
28 neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it
29 incorporates OAR 584-020-0010(5) (*Use professional judgment*); OAR 584-020-
30 0040(4)(k) (*Violation of any rule or order of the Commission*); OAR 584-020-
31 0040(4)(o) as it incorporates OAR 584-020-0035(3)(a) (*Maintain the dignity of the*

1 *profession by respecting and obeying the law, exemplifying personal integrity and*
2 *honesty).* Additionally, your conviction and conduct related to your conviction
3 constitute “gross unfitness” in violation of ORS 342.175(1)(c); OAR 584-020-0040(3)(a)
4 and (d) as defined by OAR 584-020-0040 (5) (“*Gross unfitness is any conduct which*
5 *renders an educator unqualified to perform his or her professional responsibilities*”).
6

7 The Commission’s authority to impose discipline in this matter is based upon ORS
8 342.175.

9 **FINAL ORDER**

10 The Commission hereby revokes Jody Lee Allard’s teaching license and his right
11 to apply for licensure.

12 IT IS SO ORDERED THIS 15th day of January, 2016.

13 TEACHER STANDARDS AND PRACTICES COMMISSION

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15


16 By: _____
17 Victoria Chamberlain, Executive Director
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21 **NOTICE OF APPEAL OR RIGHTS**

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23 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
24 BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE
25 SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF
26 ORS 183.482 TO THE OREGON COURT OF APPEALS.

CERTIFICATE OF MAILING

I hereby certify that I served the foregoing notice of final order, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

Jody Lee Allard # 20766521
c/o Warner Creek Correctional Facility
PO Box 1500
Lakeview, OR 97630-5000

Dated this 15th day of January, 2016.

By: *Patty Liddell*
Patty Liddell
Investigative Assistant