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BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION

OF THE STATE OF OREGON

In the Matter of the)	STIPULATION OF FACTS,
Educator License of:)	FINAL ORDER OF SUSPENSION
CODY BYRON LOY)	AND PROBATION

On February 19, 2014, Cody Loy was referred to investigations regarding clearance of character question 8 on Application for Educator License or Registration Form C-1.

After review of the matters alleged, Loy and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts and suspension of his Oregon educator license followed by a period of probation and fulfillment of specific probation requirements.

This document sets forth the facts upon which the parties have agreed and the stipulated sanction to be imposed. Loy stipulates that there is sufficient evidence in the Commission's files and records to support the findings of fact, conclusions of law, and order set forth below.

By signing below, Loy acknowledges, understands, stipulates, and agrees to the following: (i) he has been fully advised of his rights to notice and a hearing to contest the findings of fact, conclusions of law, and order set forth below, and fully and finally waives all such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Suspension and Probation (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to the public upon request by the Commission; (iii) this Stipulation and Final Order is contingent upon and subject to approval and adoption by the Commission. If the Commission does not approve and adopt this Stipulation and Final Order, then neither Loy nor the Commission are bound by the terms herein; (iv) he has fully read this Stipulation and Final Order, and understands it completely; (v) he voluntarily, without any force or duress, enters into this Stipulation and Final Order and consents to issuance and entry of the Stipulated Final Order below; (vi) he states that no promises or representation has been made to

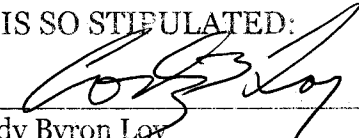
1 induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an attorney
2 regarding this Stipulation and Final Order and has been fully advised with regard to his rights
3 thereto, or waives any and all rights to consult with an attorney prior to entering into this
4 Stipulation and Final Order and issuance and entry of the Stipulated Final Order below. This
5 Order sets forth the facts upon which the parties have agreed and the sanction to be imposed.
6 In entering into this stipulation, Loy waives the right to a hearing to contest the findings of fact,
7 conclusions of law and order set forth below.

8 **STIPULATION OF FACTS**

- 9 1) The Commission has licensed Loy since June 28, 2007. Loy holds an Initial I Teaching License
10 issued December 29, 2010, with endorsements in Multiple Subjects (MIDLVL) and Language Arts
11 (HS, ML), which was scheduled to expire on December 28, 2013. On December 27, 2013, Loy made
12 timely application for renewal. During all relevant times, Loy was employed by the Eugene School
13 District.
- 14 2) As part of Loy's application, he answered "Yes" to character question number eight (8) related to his
15 criminal history. Upon request, Loy provided documentation that on August 25, 2011, he was
16 arrested and charged with Aggravated Animal Abuse I, a class C Felony and Disorderly Conduct in
17 the second degree, a misdemeanor. The conduct that resulted in these charges included Loy
18 becoming so intoxicated he reportedly experienced "black outs." While in this intoxicated state, Loy
19 went looking for a friend at their residence, and as a result, disturbed some neighbors who asked
20 him to leave. Several minutes after being asked to leave, one of the neighbors observed Loy kicking
21 and stomping a cat to death on or near a friend's porch. On November 29, 2011, as part of an Alford
22 plea agreement, Loy was convicted of Animal Abuse in the first degree as a Class A Misdemeanor.
23 Loy's sentence included fines, two years' probation, 80 hours of community service, and
24 participation in a substance abuse and anger management evaluation and any recommended
25 treatment, all of which he successfully completed.

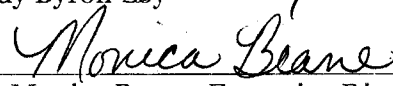
- 1 3) During the course of the Commission's investigation, investigators learned that Loy had been
2 investigated and disciplined by the Eugene School District for professional misconduct during the
3 2011-2012 school year. This discipline included a five day, unpaid suspension. Investigation
4 determined that on or about June 6, 2011, Loy intimidated a student while shopping at a local
5 bookstore. This student, who was a sex crime victim, had cooperated in an investigation that
6 resulted in a former teacher known to Loy being convicted of sex crimes against this student.
7 Witnesses reported that Loy encountered this student at the bookstore, stared at her and mouthed
8 the words "You fucking bitch". Loy reportedly returned to the area and glared at the student in an
9 intimidating manner that caused her distress.
- 10 4) School officials determined in the course of their investigation that Loy misrepresented his role in
11 the incident. Loy told district officials that he did not see the involved student at the bookstore.
12 During an interview with commission investigators, Loy admitted that he was staring at the student
13 because he believed she was the one involved in the former teacher's criminal investigation, and
14 watched her for several minutes while attempting to determine if she was the person he thought she
15 was. Loy denied that he mouthed any words to her or intended to be intimidating. On November 8,
16 2011, the school district issued Loy a notice of suspension resulting in a five day suspension without
17 pay.

18 IT IS SO STIPULATED:

19 
20 _____
Cody Byron Loy

June 15th, 2017

Date

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22 _____
Dr. Monica Beane, Executive Director
23 Teacher Standards and Practices Commission

7-7-17

Date

1 **CONCLUSIONS OF LAW**

2 1. Cody Byron Loy's conduct as described in paragraph 2 above constitutes gross neglect of
3 duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR
4 584-020-0010(5) (*Use professional judgment*). This conduct also constitutes gross unfitness
5 in violation of ORS 342.175(1)(c); OAR 584-020-0040(5)(c) (*Conviction of violating any*
6 *federal, state, or local law. A conviction includes any final judgment of conviction by a*
7 *court whether as the result of guilty plea, no contest plea or any other means*), specifically
8 ORS 167.320 (*Animal Abuse in the first degree*). Your conduct that resulted in the criminal
9 conviction also constitutes gross unfitness in violation of ORS 342.175(1)(c); OAR 584-020-
10 0040(5)(e) (*Admission of or engaging in acts constituting criminal conduct, even in the*
11 *absence of a conviction*), specifically ORS 167.322 (*Aggravated Animal Abuse in the First*
12 *Degree*).

13 2. Cody Byron Loy's conduct as described in paragraph 3 and 4 above constitutes gross neglect
14 of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR
15 584-020-0010(1) (*Recognize the worth and dignity of all persons and respect for each*
16 *individual*), OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0025(2)(e)
17 (*Using district lawful and reasonable rules and regulations*), OAR 584-020-0040(4)(c)
18 (*Falsification of any document or knowing misrepresentation directly related to licensure,*
19 *employment, or professional duties*); and OAR 584-020-0040(4)(o) as it incorporates OAR
20 584-020-0035(1)(c)(D) (*Honoring appropriate adult boundaries with students in conduct*
21 *and conversations at all times*). Your conduct also constitutes gross unfitness in violation of
22 ORS 342.175(1)(c); OAR 584-020-0040(5)(b) (*Fraud or misrepresentation*).

23 3. The Commission's authority to impose discipline in this matter is based upon ORS 342.143
24 and ORS 342.175.

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1 **ORDER**

2 The Commission hereby adopts and incorporates herein the above stipulation of facts,
3 conclusions of law, and based thereon hereby orders as follows:

- 4 1. Loy's teaching license is hereby suspended for six months from the date of this order;
- 5 2. Following the suspension, Loy is placed on probation for a period of four years;
- 6 3. As conditions of probation, Loy will comply with the following:
- 7 a. Upon returning to the United States from China where he is teaching abroad, Loy will
- 8 participate in regular counseling/therapy by a provider subject to Commission
- 9 approval and at a frequency recommended by the provider. Loy will submit to the
- 10 Commission a report of his continued treatment every six months for the first three
- 11 years of his probation period.
- 12 b. He will comply with the Standards for Competent and Ethical Performance of Oregon
- 13 Educators under Oregon Administrative Rules Chapter 584, Division 020.
- 14 4. Violation of any term or condition of probation shall constitute an independent basis for the
- 15 Commission to revoke Loy's teaching license or otherwise impose discipline, after first
- 16 providing Loy with notice and opportunity for hearing.

17 IT IS SO ORDERED this 7th day of July, 2017.

18 TEACHER STANDARDS AND PRACTICES COMMISSION

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20 By: Monica Beane

21 Dr. Monica Beane, Executive Director

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