

AUG 22 2006

PORTLAND, OREGON

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

3 In the Matter of the) STIPULATION OF FACTS,
4 Teaching License of) FINAL ORDER OF REPRIMAND
5 LON GILLAS) AND PROBATION

6 On October 14, 2005, the Teacher Standards and Practices Commission (Commission)
7 received a report from Jennifer Howard, Director of Human Resources, on behalf of Maryalice
8 Russell, Superintendent, McMinnville School District indicating that Lon Gillas (Gillas) used his
9 school computer to access sexually explicit material on the Internet.

10 Mr. Gillas fully cooperated with the Commission's investigation in this matter. After
11 review of the matters alleged, Mr. Gillas and the Commission agree that their respective
12 interests, together with the public interest, are best served by a stipulation to certain facts, a
13 reprimand followed by a three (3) year probation. Mr. Gillas understands that the probation will
14 be subject to specific terms and conditions.

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

19 By signing below, Mr. Gillas acknowledges, understands, stipulates, and agrees to the
20 following: (i) he has been fully advised of his rights to notice and a hearing to contest the
21 findings of fact, conclusions of law, and order set forth below, and fully and finally waives all
22 such rights and any rights to appeal or otherwise challenge this Stipulation of Facts, Final Order
23 of Reprimand and Probation (Stipulation and Final Order); (ii) this Stipulation and Final Order is
24 a public document and disclosed to the public upon request by the Commission; (iii) this
25 Stipulation and Final Order is contingent upon and subject to approval and adoption by the
26 Commission. If the Commission does not approve and adopt this Stipulation and Final Order,
27 then neither Mr. Gillas nor the Commission are bound by the terms herein; (iv) he has fully read

1 this Stipulation and Final Order, and understands it completely; (v) he voluntarily, without any
2 force or duress, enters into this Stipulation and Final Order and consents to issuance and entry
3 of the Stipulated Final Order below; (vi) he states that no promises or representation has been
4 made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an
5 attorney regarding this Stipulation and Final Order and has been fully advised with regard to his
6 rights thereto, or waives any and all rights to consult with an attorney prior to entering into this
7 Stipulation and Final Order and issuance and entry of the Stipulated Final Order below.

8 **STIPULATION OF FACTS**

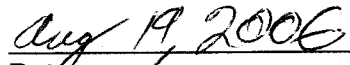
9 1. The Commission licensed Lon Gillas beginning August 31, 2001. Mr. Gillas holds an
10 Initial Teaching License issued December 8, 2004, valid until October 18, 2008, with Integrated
11 Science, Marketing and Marketing Management Endorsements.


12 2. A District-owned computer with Internet access was present in Mr. Gillas' classroom
13 for his use in connection with his assigned responsibilities. The District has an acceptable use
14 policy. The District's policy prohibits the use or attempted use of equipment for Internet access
15 of sexually explicit materials.

16 3. District records indicate that Mr. Gillas used his classroom computer from August 30,
17 2005, to September 14, 2005, to access sexually explicit materials through the District's Internet
18 connection in violation of District policy regarding Internet use.

19 **IT IS SO STIPULATED AND AGREED TO:**

20 
21 Lon Gillas


Date

22 
23 Victoria Chamberlain, Executive Director
24 Teacher Standards and Practices Commission

9-20-06
Date

25 **ULTIMATE FINDING OF FACT**

26 Lon Gillas used the computer equipment owned by his employer, McMinnville School
27 District, located on school premises, to access sexually explicit materials. Mr. Gillas was fully

1 aware that accessing such materials at the workplace using a District owned computer was
2 inappropriate and in violation of District policy

3 **CONCLUSIONS OF LAW**

4 Lon Gillas' inappropriate use of a District computer constitutes Gross Neglect of Duty in
5 violation of OAR 584-020-0040(4)(q). The Commission has the authority to impose discipline in
6 this matter is based upon ORS 342.120 through 342.430 and OAR Chapter 584.

7 **FINAL ORDER**

8 The Commission hereby adopts and incorporates herein the above findings of fact and
9 conclusions of law and hereby imposes a Public Reprimand on Lon Gillas. This Order shall
10 serve as the Public Reprimand.

11 Furthermore, the Commission places Mr. Gillas on Probation for a period of three (3)
12 years probation subject to the following terms and conditions:

13 1. Mr. Gillas shall submit documentation that he has undergone an evaluation by a
14 psychotherapist or medical professional acceptable to the Commission, and the evaluator
15 submits a written report to the Commission attesting (a) Mr. Gillas is fit to work with children and
16 teenagers, and (b) there is a high probability he will not use school district equipment to access
17 sexually explicit materials or engage in similar inappropriate behavior. Any costs associated
18 with the assessment or treatment will be the responsibility of Mr. Gillas.

19 2. Mr. Gillas shall substantially comply with any treatment or counseling as
20 recommended by the individual who completed the evaluation described above.
21 Mr. Gillas shall authorize and sign any consent forms as necessary for the treatment provider or
22 counselor to furnish records to or discuss Mr. Gillas' treatment with the Commission.

23 3. During the period of this probation, Mr. Gillas shall submit to the Executive Director of
24 the Commission reports of his compliance with the aftercare treatment plan. Mr. Gillas shall
25 provide these reports every six (6) months during his probation, on or before: May 2, 2007;
26 November 2, 2007; May 2, 2008; November 2, 2008; May 2, 2009; November 2, 2009;

1 May 2, 2010; and November 2, 2010.

2 4. Mr. Gillas shall report in writing within ten days to the Executive Director of the
3 Commission any arrest or citation for any felony, misdemeanor, major traffic violation or
4 violation of criminal probation; and

5 5. Mr. Gillas shall comply with the Standards for Competent and Ethical Performance of
6 Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020.

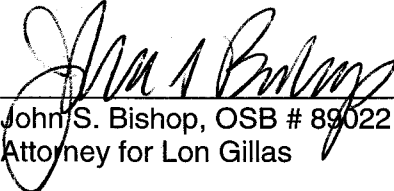
7 Violation of any term or condition of probation shall constitute an independent basis for
8 the Commission to revoke Mr. Gillas' teaching license or otherwise impose discipline, after first
9 providing Mr. Gillas with notice and opportunity for hearing.

10 Issued and dated this 3 day of November, 2006.

11 **TEACHER STANDARDS AND PRACTICES COMMISSION**
12 **STATE OF OREGON**

13 By 
14 Victoria Chamberlain, Executive Director
15

17 Approved as to form:

18 
19 John S. Bishop, OSB # 89022
20 Attorney for Lon Gillas
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