1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON 3 In the Matter of the STIPULATION OF FACTS AND 4 Educator License of) FINAL ORDER OF PUBLIC 5) IAN MALCOLM CADY REPRIMAND 6 7 On December 18, 2017, the Teacher Standards and Practices Commission 8 (Commission) received a report from the Ontario School District (OSD), alleging 9 professional misconduct on the part of licensed educator, Ian Malcolm Cady (Cady). 10 After review of the matters alleged, Cady and the Commission agree that their 11 respective interests, together with the public interest, are best served by a stipulation to 12 certain facts and the imposition of a Public Reprimand. 13 This Order sets forth the facts upon which the parties have agreed and the 14 sanction to be imposed. Cady stipulates that there are sufficient facts contained in the 15 Commission's files and records to support the findings of fact and conclusions of law set 16 forth below. In entering into this stipulation, Cady waives the right to a hearing to 17 contest the findings of fact, conclusions of law and order set forth below. 18 By signing below, Cady acknowledges, understands, stipulates, and agrees to the 19 following: (i) he has been fully advised of his rights to notice and a hearing to contest the 20 findings of fact, conclusions of law, and order set forth below, and fully and finally 21 waives all such rights and any rights to appeal or otherwise challenge this Stipulation of 22 Facts and Final Order of Public Reprimand (Stipulation and Final Order); (ii) this 23 Stipulation and Final Order is a public document and disclosed to the public upon 24 request by the Commission; (iii) this Stipulation and Final Order is contingent upon and 25 subject to approval and adoption by the Commission. If the Commission does not 26 approve and adopt this Stipulation and Final Order, then neither Cady nor the 27 Commission are bound by the terms herein; (iv) he has fully read this Stipulation and 28 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 29 30 the Stipulated Final Order below; (vi) he states that no promise or representation has 31 been made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an attorney regarding this Stipulation and Final Order and has been fully 32 33 advised with regard to his rights thereto, or waives any and all rights to consult with an

attorney prior to entering into this Stipulation and Final Order and issuance and entry of

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the Stipulated Final Order below.

STIPULATION OF FACTS

- The Commission has licensed Cady since July 27, 2016. Cady's Preliminary
 Teaching License, with an endorsement in Social Studies (PK-12), valid from July
 27, 2016, through May 27, 2020. During all relevant times, Cady was employed
 by the OSD.
- 2. On December 18, 2017, the Commission received a report from the Ontario School District, alleging that Cady had engaged in conduct that may be considered gross neglect of duty and/or gross unfitness. The report alleged Cady showed an inappropriate video to a high school psychology class.
- 3. Investigation determined that in September 2017, Cady was counseled by the administration about appropriate videos following his use of a video of a graphic and disturbing Thomas Edison experiment. Cady was sent an email with links to the District's video/film use form, which OSD policy required to be submitted at least 5 days prior to showing films. Cady was instructed to use this form to get future videos or films approved. The email also informed Cady that the administration would be available to review any proposed films with Cady to evaluate their appropriateness. OSD policy further stated that any film or video that is "[e]dited, unrated, or rated higher than PG-13 will only be shown at the discretion of the building administrator." However, in an interview with a commission investigator, Cady explained his understanding that due to the large volume of YouTube videos being used as resources in the classroom, use of YouTube videos was left up to the teacher's discretion at his school.
- 4. On November 13, 2017, the administration sent an email out to all staff reminding them about the video/film use form and policy.
- 5. On November 28, 2017, Cady showed class a YouTube video from an unrated 2006 documentary produced by the BBC of approximately 15 minutes in length. Cady showed this video based on his own discretion, without having it approved as described in District policy. The video contained inappropriate, explicit, and graphic content. When asked why Cady did not stop the video, he explained that he "froze". On December 8, 2017, Cady submitted his resignation in lieu of possible termination

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2	IT IS SO STIPULATED:
3 4 5 6 7	Ian Malcolm Cady Date 12/6/18
8 9	Trent Danowski, Deputy Director Date Teacher Standards and Practices Commission
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11	CONCLUSION OF LAW
12	The conduct described above 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 584-020-0015(2)(c) (Use of current subject matter
15	appropriate to the individual needs of students), and OAR 584-020-0025(2)(e) (Using
16	district lawful and reasonable rules and regulations).
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18	The Commission's authority to impose discipline in this matter is based upon
19	ORS 342.175.
20	ORDER
21	The Commission adopts and incorporates herein the above findings of fact and
22	conclusions of law, and based thereon, imposes a Public Reprimand on Ian Cady's
23	Oregon educator license.
24 25	Issued and dated this day of January, 2019.
26	TEACHER STANDARDS AND PRACTICES COMMISSION
27	STATE OF OREGON
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29	Ву
30	Dr. Anthony Rosilez, Executive Director