

1 2. During the period of 1991-1996, Gordon engaged in a
2 history of inappropriate physical contact with his students as
3 illustrated by the following conduct:

4 a. Picking up ~~female~~^{MRG} students in a "wrestling" move
5 by placing his hands around their necks and between their legs
6 and lifting them up over his head;

7 b. "Cracking" ~~a female~~^{MRG} student's back; and

8 c. Touching female students in ways that later caused
9 them concern.

10 3. During the period 1991-1996, Gordon engaged in a
11 pattern of inappropriate verbal comments to his students that the
12 students found to be offensive such as asking a female student
13 during class, "what are the three fastest ways of communication
14 in the old west," and then responding, "telegraph, telephone or
15 tell a woman."

16 4. An anonymous complaint to the police about Gordon's
17 conduct during the summer of 1996 resulted in Gordon's arrest on
18 September 3, 1996. On September 6, 1996, Gordon was charged with
19 thirteen counts of Sexual Abuse in the Third Degree and
20 Harassment based on his conduct with various students.

21 5. Gordon was terminated from his employment with the
22 Prospect School District on November 20, 1996.

23 6. On February 7, 1997, Gordon was acquitted of all
24 criminal charges.

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1 7. Gordon grieved his termination. On November 24, 1997,
2 an Arbitrator ruled that although the District did not have just
3 cause under the collective bargaining agreement to terminate
4 Gordon, the District did have just cause to suspend Gordon for
5 thirty calendar days.

6 8. On February 2, 1998, Gordon was reinstated to his
7 teaching position in the Prospect School District.

8 9. Gordon acknowledges that ^{SOME}~~many~~ interactions with
9 students caused offense, and he has agreed not to engage in
10 similar conduct in the future.

11 Gordon enters into this Stipulation of Facts with the
12 knowledge that TSPC will adopt an Order of Public Reprimand and
13 place him on three (3) years' Probation. This Stipulation is
14 contingent upon the approval and adoption of the Order by the
15 Commission. If the Commission does not adopt this Order, neither
16 Gordon nor the Commission are bound by these stipulations and he
17 retains all rights to a hearing on the allegations.

18 IT IS SO STIPULATED:
19

20 Michael R. Gordon
21 Michael Gordon

7-15-98
Date

22 David V. Myton
23 David V. Myton, Executive Secretary
24 Teacher Standards and Practices Commission

7/16/98
Date

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1 CONCLUSIONS OF LAW

2 The conduct described in paragraphs 3 and 4 of the Findings
3 of Fact constitutes gross neglect of duty as that term is defined
4 under ORS 342.175(1) and OAR 584-20-040.

5 OPINION

6 In imposing this discipline, instead of a more severe
7 sanction, the Commission takes into account the following
8 factors: Much of the misconduct occurred more than five years
9 ago; Gordon has agreed not to engage in similar conduct in his
10 interaction with students in the future; and Gordon has already
11 incurred a 30 day suspension without pay from his employment in
12 the arbitration proceeding. Gordon will be placed on probation
13 for three years, and the Commission will be in a position to
14 impose other sanctions, including revocation if Gordon again
15 engages in inappropriate behavior towards students.

16 ORDER

17 The Commission issues a Public Reprimand to Gordon and this
18 Order constitutes the Reprimand for his inappropriate conduct
19 with students. The Commission shall place Gordon on Probation
20 for three (3) years from the date of this Order. While on
21 probation, Gordon shall:

- 22 1. Conduct himself as a law abiding citizen and notify
23 TSPC within 30 (thirty) days if he is arrested or
24 charged with any crime;

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2. Document to TSPC within six months of the date of this Order that he has attended a course or workshop on sexual harassment; and

3. Abide by all Commission requirements, including but not limited to, those articulated in OAR 584, Division 20.

Violation of any terms of probation shall constitute a basis for the Commission to revoke Gordon's license, after first providing to Gordon notice and an opportunity for hearing.

DATED this 17th day of July 1998.

TEACHER STANDARDS AND PRACTICES COMMISSION

By: David V. Myton
David V. Myton, Executive Director

Approved as to Form:

Hank Kaplan
Hank Kaplan
Attorney for Gordon

7-16-98
Date

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