

- 1 4. During the 2007-2008 school year, while employed with the Gervais School District, Mr.
2 Miho gave unwanted hugs and shoulder rubs to female students. He referred to female
3 students by pet names such as "sweetie," "honey," and "baby." He also contacted
4 female students via text messaging.
- 5 5. On or about March 12, 2008, Mr. Miho asked a student what she wanted from an adult
6 shop for her 18th birthday.
- 7 6. During the 2007-2008 school year, Mr. Miho failed to stop or discourage students'
8 sexual conversations in his classroom.

9 **CONCLUSIONS OF LAW**

10 Contacting students online as described in paragraph 2 above constitutes gross neglect
11 of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(o) pursuant to OAR 584-020-
12 0035(1)(c)(D) (*Honoring appropriate adult boundaries with students in conduct and*
13 *conversations at all times*); and OAR 584-020-0040(4)(n) as it incorporates 584-020-0010(5)
14 (*Use professional judgment*).

15 Engaging in sexual relationship with former students as described in paragraph 3
16 above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-
17 0040(4)(o) as it incorporates OAR 584-020-0035(1)(b) (*Refrain from exploiting professional*
18 *relationships with any student for personal gain, or in support of persons or issues*) and OAR
19 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*).

20 Having inappropriate contact with students as described in paragraph 4 above
21 constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(o)
22 pursuant to OAR 584-020-0035(1)(c)(D) (*Honoring appropriate adult boundaries with students*
23 *in conduct and conversations at all times*); and OAR 584-020-0040(4)(n) as it incorporates 584-
24 020-0010(5) (*Use professional judgment*).

25 Asking a student what she wanted from an adult shop as described in paragraph 5

1 above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-
2 0040(4)(o) pursuant to OAR 584-020-0035(1)(c)(D) (*Honoring appropriate adult boundaries with*
3 *students in conduct and conversations at all times*).

4 Failing to discourage students' sexual conversations in the classroom as described in
5 paragraph 6 above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR
6 584-020-0040(4)(n) as it incorporates OAR 584-020-0025(2)(a) (*Establishing and maintaining*
7 *classroom management that is conducive to learning*).

8 **FINAL ORDER**

9 The Commission hereby revokes Jon D. Miho's Initial Teaching License.

10 IT IS SO ORDERED THIS 10th day of August, 2009.

11 TEACHER STANDARDS AND PRACTICES COMMISSION

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14 By: 
15 Victoria Chamberlain, Executive Director
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20 **NOTICE OF APPEAL OR RIGHTS**

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

Jon D. Miho
3124 Turner Rd SE
Salem, OR 97302-2029

Dated this 22nd day of March 2010.

By: Melody Hanson
Melody Hanson
Executive Assistant