

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

4 In the Matter of the ) STIPULATION OF FACTS,  
5 Teaching License of ) SURRENDER, ORDER OF  
6 Jerry Wayne Stidham ) SUSPENSION, AND  
7 ) PROBATION

8 On January 12, 2004, the Teacher Standards and Practices Commission  
9 (Commission) received a report from Ron Naso, Superintendent, North Clackamas  
10 School District alleging that Jerry Wayne Stidham violated standards for competent and  
11 ethical performance of Oregon educators.

12 After review of the matters alleged, Mr. Stidham and the Commission agree that  
13 their respective interests, together with the public interest, are best served by a  
14 stipulation to certain facts and surrender of his teaching license pursuant to OAR 584-  
15 050-0027. Mr. Stidham understands that the Commission will accept the surrender of  
16 his teaching license, suspend said license for one year, and impose a two (2) year  
17 probation upon any future reinstatement of licensure.

18 This Order sets forth the facts upon which the parties have agreed and the  
19 sanction to be imposed. Mr. Stidham stipulates that there are sufficient facts contained  
20 in the Commission's files and records to support the findings of fact and conclusions of  
21 law set forth below. In entering into this stipulation, Mr. Stidham waives the right to a  
22 hearing to contest the findings of fact, conclusions of law and order set forth below.

23 This stipulation is contingent upon approval and adoption of the Order by the  
24 Commission. If the Commission does not adopt this Order, neither Mr. Stidham nor the  
25 Commission are bound by these Stipulations and Mr. Stidham retains all rights to a  
hearing on the allegations.

1 **STIPULATION OF FACTS**

2 1. Mr. Stidham holds a Standard Teaching License issued March 29, 2001, valid  
3 through April 27, 2006, with Standard Physical Education and Basic Health Education  
4 Endorsements.

5 2. Mr. Stidham was employed by the North Clackamas School District as a  
6 Physical Education Teacher at Rex Putman High School beginning on August 28, 1975.  
7 Mr. Stidham resigned his employment effective June 6, 2003, retiring with (twenty eight)  
8 28 years of service.

9 3. At all times during the 2002 / 2003 school year, Mr. Stidham was married to  
10 another educator in the same district.


11 4. On multiple occasions, during the 2002 / 2003 school year, Mr. Stidham  
12 engaged in a sexual liaison with another married female educator on the school  
13 grounds during school hours.

14 5. Mr. Stidham admits that his behavior was inappropriate.

15 IT IS SO STIPULATED:

16   
17 Jerry Wayne Stidham

6-18-04  
Date

18   
19 Victoria Chamberlain, Executive Director  
20 Teacher Standards and Practices Commission

6-9-04  
Date

21 **CONCLUSION OF LAW**

22 Jerry Wayne Stidham failed to demonstrate a commitment to use professional  
23 judgment regarding physical conduct in violation of OAR 584-020-0010(5).

24 Mr. Stidham engaged in physical conduct of a sexual nature on school property with a  
co-worker. This conduct is Gross Neglect of Duty a violation or OAR 584-020-

1 0040(4)(o); 584-020-0040(4)(n) and 584-020-0035(3)(a). Mr. Stidham's conduct had  
2 the effect of unreasonably interfering with students' educational performance and  
3 created an intimidating, hostile and offensive educational environment. The  
4 Commission's authority to impose discipline in this matter is based upon ORS 342.175.

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## ORDER

The Commission accepts the surrender of Mr. Stidham's Standard Teaching License and hereby suspends the Oregon Standard Teaching License issued to Jerry Wayne Stidham for a period of one year effective the date of this order. At the end of this suspension period, Mr. Stidham may apply for reinstatement of licensure provided he meet the following conditions:

1. Submission of a complete application and fees pursuant to OAR 584-050-0015(3); and
2. Submission of documentation that he has undergone an evaluation by a psychotherapist or medical professional acceptable to the Commission, and the evaluator submits a full written report to the Commission attesting (a) Mr. Stidham is fit to work with children and teenagers, and (b) there is a high probability he will not repeat the inappropriate behavior as described in this order. Any costs associated with the assessment or treatment will be the responsibility of Mr. Stidham.

Upon the reinstatement of licensure, Mr. Stidham shall be placed on probation by the Commission for a period of two (2) years, subject to the following terms and conditions:

1. Mr. Stidham shall substantially comply with any treatment or counseling as recommended by the individual who completed the evaluation described above. Mr. Stidham shall authorize and sign any consent forms as necessary for the treatment provider or counselor to furnish records to or discuss Mr. Stidham's treatment with the Commission;

1           2. Mr. Stidham shall comply with all Standards for Competent and Ethical  
2 Performance of Oregon Educators under Oregon Administrative Rules, Chapter 584,  
3 Division 020; and

4           3. Mr. Stidham shall provide information as requested by the Commission to  
5 verify that he has complied with the conditions of probation, including a statement from  
6 a future employing district that he has complied with the Standards for Competent and  
7 Ethical Performance of Oregon Educators.

8           Violation of any term or condition of this probation may constitute an independent  
9 basis for the Commission to impose discipline, up to and including revocation of  
10 Mr. Stidham's teaching license subject to Mr. Stidham's right to a hearing on the issue  
11 of whether he violated probation.

12 IT IS SO ORDERED this 29<sup>th</sup> day of July, 2004.

13           TEACHER STANDARDS AND PRACTICES COMMISSION

14  
15 By:   
16 Victoria Chamberlain, Executive Director

[060804]