

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

3 In the Matter of the Teaching License of:
4 Gary Wiese

STIPULATION OF FACTS, PUBLIC
REPRIMAND, AND ORDER

5 On or about May 20, 1999, the Teacher Standards and Practices Commission (the
6 "Commission") issued a Notice of Opportunity for Hearing to Gary Wiese ("Wiese") in which
7 the Commission proposed to suspend or revoke his teaching license or otherwise impose
8 discipline under ORS 342.177. The Commission and Wiese have now reviewed the matters
9 alleged and agree that their respective interests, together with the public interest, are best served
10 by a stipulation to certain facts and the issuance of a public reprimand. This agreement sets forth
11 the facts upon which the parties have agreed and the sanctions to be imposed. In entering into
12 this Stipulation, Wiese waives his right to a hearing to contest any of the findings set forth
13 below.

14 **FINDINGS OF FACT**

15 1. Wiese holds a current standard teaching license valid until July 11, 2002.

16 2. Wiese was employed as a music teacher by the Coquille School District from
17 1971 until his retirement in 1999.

LW 18 3. On or about February 26, 1998, ^{*an adult JW GMC*} a female instructional assistant in the music
19 program complained that Wiese had professed romantic feelings for her and had been hugging
20 her in the classroom.

21 4. On or about February 26, 1998 Wiese was asked about the complaint, and as a
22 result he was admonished by his principal to cease making affectionate comments and giving
23 hugs to the instructional assistant.

1 5. On or about June 1, 1998 the instructional assistant reported that in May 1998
2 Wiese again made unwanted overtures to her, sent her cards and notes and attempted to hug her.

3 6. The school district investigated the complaints and determined that Weise had
4 sexually harassed the instructional assistant by creating an intimidating and offensive working
5 environment. Wiese did not contest that determination.

6 7. During the time in question, Wiese was being treated for depression, passivity and
7 symptoms of posttraumatic stress disorder. In approximately June 1998 he began taking
8 prescription medication and seeing a psychiatrist. The psychiatrist opined that during the period
9 of inappropriate behavior toward the instructional assistant, Wiese was suffering from major
10 depression and his cognitive abilities were effected.

11 8. Wiese has retired from teaching.

12 Wiese enters into this Stipulation of Facts with the knowledge that TSPC will adopt an
13 Order requiring the issuance of a public reprimand. This Stipulation is contingent upon the
14 approval and adoption of the Order by the Commission. If the Commission does not adopt this
15 Order, neither Wiese nor the Commission are bound by these stipulations and he retains all rights
16 to a hearing on the allegations.

17 IT IS SO STIPULATED:

18
19 *Gary Wiese*
20 Gary Wiese

12-13-99
Date

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

1/4/00
Date

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CONCLUSION OF LAW

The conduct described in the Findings of Fact constitutes gross neglect of duty as that term is defined under ORS 342.175(1) and OAR 534-020-0040(4)(L).

OPINION

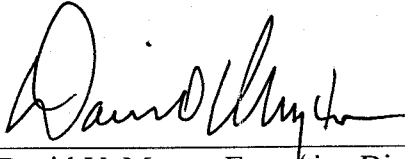
In consideration of Wiese's long unblemished employment record, his cognitive deficit stemming from a major depressive episode, his acknowledgement of his mistakes and his medical treatment to resolve the misconduct, the Commission has determined a public reprimand is appropriate.

ORDER

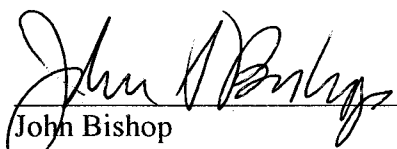
The Commission issues a public reprimand against Wiese. The Findings of Fact, Conclusion of Law, Opinion and Order's herein shall serve as the public reprimand.

DATED this 19th day of Jan 2000 1999.


TEACHER STANDARDS AND PRACTICES COMMISSION

By: 
David V. Myton, Executive Director

Approved as to Form:


John Bishop
Attorney for Wiese

12-16-99
Date


Gary C. Cordy
Attorney for TSPC

12-22-99
Date