

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

3 In the Matter of the Administrative and)
4 Teaching License of)
5 MICHAEL GREGORY GITHENS) STIPULATION OF FACTS
6) AND ORDER OF REVOCATION
7)

8 On or about May 16, 2000, the Teacher Standards and Practices Commission
9 (Commission) issued a Notice of Opportunity for Hearing to Michael Gregory Githens (Githens)
10 in which the Commission proposed to take disciplinary action against him under ORS 342.175
11 through ORS 432.190.

12 After review of the matters alleged, Githens and the Commission agree that their
13 respective interests, together with the public interest, are best served by a stipulation to certain
14 facts and surrender of his teaching license as per OAR 584-050-0027.

15 This Order sets forth the facts upon which the parties have agreed and the sanction to
16 be imposed. In entering into this stipulation, Githens waives the right to a hearing to contest the
17 finding of fact, conclusion of law and order set forth below. Githens understands that the
18 Commission will revoke his teaching and administrative licenses.

19 This stipulation is contingent upon approval and adoption of the Order by the
20 Commission. If the Commission does not adopt this Order, neither Githens nor the Commission
21 are bound by these Stipulations and Githens retains all rights to a hearing on the allegations.

22 **STIPULATION OF FACTS**

23 1. The Commission issued Githens a Standard Teaching License (certificate #257547)
24 on February 1, 1999, valid until December 31, 2004. The Commission issued Githens a Basic
25 Administrator License (certificate #915502) on March 16, 1999, valid until December 31, 2004.

26 2. Githens was employed by the Oregon City School District as Principal of Oregon City
27 High School beginning in July of 1997, until his resignation December 18, 1998.

1 3. During the 1997-1998 academic year Githens approved and authorized expenditures
2 from the Student Body Fund for purposes other than for which those funds were raised.

3 4. During the 1997-1998 academic year and in the fall of 1998 Githens disregarded
4 reasonable district policies, guidelines and procedures for handling cash generated by school
5 sponsored events.

6 5. On or about February 27, 1998, Githens ordered and obtained a MAC personal
7 computer from the Technology Lab of Oregon City High School for use in his home without the
8 consent or knowledge of his supervisor, Barry Rotrock, Superintendent, Oregon City School
9 District.

10 6. On or about October 27, 1998, Githens purchased \$150.00 in gift certificates from the
11 Red Robin Restaurant in Clackamas, Oregon, using funds from the Student Award Account at
12 Oregon City High School but did not disburse the gift certificates to students.

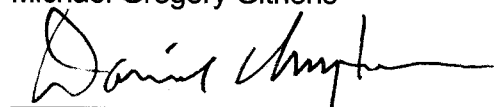
13 7. On or about January 4, 1999, Githens failed to answer character questions correctly
14 on an Application for License Authorizing Public School Service Form C-1 submitted to the
15 Commission regarding his employment with Oregon City School District.

16 8. Githens accepts responsibility for his behavior, acknowledges his behavior was
17 inappropriate, and surrenders his administrative and teaching licenses.

18 IT IS SO STIPULATED:

19 
20
21 Michael Gregory Githens

11-09-01
Date

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

11-13-01
Date

26
27 **ULTIMATE FINDING OF FACT**

1 Githens' activities resulted in the inability of the district to properly account for funds and
2 insure that the use of funds were appropriate. Githens' failure in that regard casts doubt on his
3 integrity and undermines public confidence in fundraising activities.

4 Githens' failure to honestly describe the circumstances of his resignation from the school
5 on his form C-1 report to TSPC harms his credibility in a matter of direct importance to the
6 TSPC.

7 Lastly, use of district equipment without express permission demonstrates a lack of
8 concern for legitimate district policies.

9 Based on the sum of his neglectful activities, revocation of both his teaching and
10 administrative licenses is warranted.

11 **CONCLUSIONS OF LAW**

12 Githens' failure to act in accordance with district policies, guidelines and procedures with
13 reference to the handling of funds at Oregon City High School constitutes Neglect of Duty as per
14 OAR 584-020-0040(n) and (o). In securing a computer for use in his home without consent of
15 his supervisor Githens violated Standards set forth in OAR 584-020-0040(a) and (o) defined as
16 Neglect of Duty. By knowing misrepresentation directly related to licensure Githens violated
17 OAR 584-020-0040(4)(c) defined as Neglect of Duty.

1 ORDER

2 The Commission accepts Githens' surrender of licenses and revokes the Oregon
3 Teaching License, certificate number 257547 and the Administrative License, certificate number
4 915502, issued to Michael Gregory Githens.

5 Dated this 16th day of November, 2001

6 TEACHER STANDARDS AND PRACTICES COMMISSION

7 By: David V. Myton
8 David V. Myton, Executive Director
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11 APPROVED AS TO FORM

12 James M. Brown
13 James M. Brown, OSB #
14 Attorney for Michael Gregory Githens
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