1	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
2	OF THE STATE OF OREGON
3 4 5	In the Matter of the) STIPULATION OF FACTS AND FRACTS AND FINAL ORDER OF SUSPENSION OF LICENSE OF LICENSE
6 7	On or about May 30, 2008 and June 19, 2008, the Teacher Standards and
8	Practices Commission (Commission) received reports indicating possible inappropriate
9	conduct by Gerald Graham, a teacher in the Willamette Education Service District.
0	After review of the matters alleged, Mr. Graham and the Commission agree that
1	their respective interests, together with the public interest, are best served by a
2	stipulation to certain facts and the imposition of a 90 day suspension of his Standard
3	Teaching License. By signing this Stipulation and Final Order, Mr. Graham does not
4	agree that the evidence supports all of the Commission's Stipulation of Facts and
5	Conclusions of Law. Nonetheless, Mr. Graham understands that the Commission will
16	rely upon the Stipulation of Facts to suspend his license and waives his right to appeal
17	the suspension of his license.
8	By signing below, Mr. Graham acknowledges, understands, stipulates, and
9	agrees to the following: (i) he has been fully advised of his rights to notice and a hearing
20	to contest the findings of fact, conclusions of law, and order set forth below, and fully and
21	finally waives all such rights and any rights to appeal or otherwise challenge this
22	Stipulation of Facts and Final Order of Suspension (Stipulation and Final Order); (ii) this
23	Stipulation and Final Order is a public document and disclosed to the public upon
24	request by the Commission; (iii) this Stipulation and Final Order is contingent upon and
25	subject to approval and adoption by the Commission. If the Commission does not
26	approve and adopt this Stipulation and Final Order, then neither Mr. Graham nor the
27	Commission are bound by the terms herein; (iv) he has fully read this Stipulation and
28	Final Order, and understands it completely; (v) he voluntarily, without any force or

1 duress, enters into this Stipulation and Final Order and consents to issuance and entry 2 of the Stipulated Final Order below; (vi) he states that no promises or representation has 3 been made to induce him to sign this Stipulation and Final Order; and (vii) he has 4 consulted with an attorney regarding this Stipulation and Final Order and has been fully 5 advised with regard to his rights thereto, or waives any and all rights to consult with an 6 attorney prior to entering into this Stipulation and Final Order and issuance and entry of 7 the Stipulated Final Order below. 8 STIPULATION OF FACTS 9 1. The Commission has licensed Mr. Graham since May 12, 1978. Mr. Graham 10 currently holds a Standard Teaching License, with endorsements in Basic Art 11 (018) and Standard Handicapped Learner I (18), issued April 12, 2007 and valid 12 through April 11, 2012. 13 2. During the 2007-2008 school year, while working for Willamette Educational 14 Service District (WESD), Mr. Graham used profanity, vulgarity or offensive 15 language in his interactions with WESD staff, including but not limited to Rick 16 Grimes, Joann Granroth, Keri Laeger, and Sherri Hall. 17 3. During the 2007-2008 school year, while working for WESD, Mr. Graham made 18 repeated and unwanted comments to and about Rick Grimes, a subordinate 19 employee, in his presence or in his absence, of a sexual nature that 20 unreasonably interfered with Mr. Grimes' work performance or which created an 21 intimidating, hostile, or offensive working environment. 22 4. During the 2007-08 school year, while working for WESD, Mr. Graham told 23 inappropriate and disturbing military "kill" stories to staff and students. 24 111 25 111

26

111

1	IT IS SO STIPULATED:
2 3 4 5 6 7 8	Gerale Richard Graham Victoria Chambadain, Executive Director Teacher Standards and Practices Commission
9	
10	CONCLUSION OF LAW
11	Mr. Graham used inappropriate language as described in paragraph 2 above.
12	This conduct constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR
13	584-020-0040(4)(n) (Substantial deviation from professional standards of competency)
14	as it incorporates OAR 584-020-0010(1) (Recognize the worth and dignity of all persons
15	and respect for each individual) or OAR 584-020-0010(5) (Use professional judgment).
16	Mr. Graham made sexual comments to and about a subordinate employee as
17	described in paragraph 3 above. This conduct constitutes gross neglect of duty in
18	violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(l) (Sexual harassment) as that
19	term is defined in OAR 584-020-0005(6)(c) (Such conduct unreasonably interferes with
20	an individual's work performance or creates an intimidating, hostile, or offensive working
21	environment).
22	Mr. Graham told inappropriate "kill" stories as described in paragraph 4 above.
23	This conduct constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR
24	584-020-0040(4)(n) (Substantial deviation from professional standards of competency)
25	as it incorporates OAR 584-020-0010(5) (Use professional judgment).
26	
27	111
28	111

1	ORDER
2	The Standard Teaching License of Gerald Richard Graham is suspended for a
3	period of 90 days from the date of this order.
4	Issued and dated this <u>//</u> day of February 2010.
5	TEACHER STANDARDS AND PRACTICES COMMISSION
6	STATE OF OREGON
7	
8	By William Manherlain
9	Victoria Chamberlain, Executive Director