

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.

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1 IT IS SO STIPULATED:

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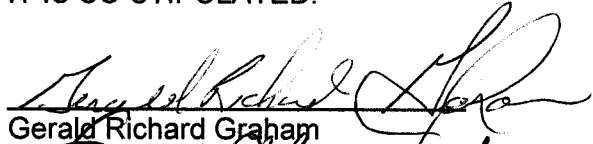
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Gerald Richard Graham

11-25-09
Date


Victoria Chamberlain, Executive Director
Teacher Standards and Practices Commission

12-08-09
Date

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CONCLUSION OF LAW

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Mr. Graham used inappropriate language as described in paragraph 2 above.

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This conduct constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR

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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

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described in paragraph 3 above. This conduct constitutes gross neglect of duty in

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violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(l) (*Sexual harassment*) as that

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term is defined in OAR 584-020-0005(6)(c) (*Such conduct unreasonably interferes with*

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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

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584-020-0040(4)(n) (*Substantial deviation from professional standards of competency*)

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as it incorporates OAR 584-020-0010(5) (*Use professional judgment*).

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ORDER

The Standard Teaching License of Gerald Richard Graham is suspended for a period of 90 days from the date of this order.

Issued and dated this 16th day of February 2010.

**TEACHER STANDARDS AND PRACTICES COMMISSION
STATE OF OREGON**

By  _____
Victoria Chamberlain, Executive Director