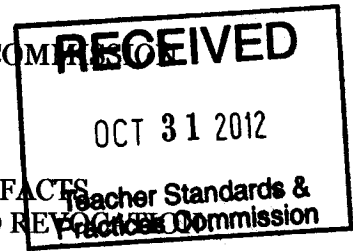


1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION  
2 OF THE STATE OF OREGON



3 In the Matter of the ) STIPULATION OF FACTS  
4 Teaching License of ) SURRENDER AND REVOCATION  
5 JORDAN, MELVIN DOUGLAS ) OF LICENSURE

6 On or about March 26, 2012, the Teacher Standards and Practices Commission  
7 (Commission) received a report from Stephen Chiovaro, Superintendent, Yamhill Carlton  
8 School District, indicating that licensed educator, Melvin Jordan (Jordan), had committed acts  
9 of unprofessional conduct. Specifically, Jordan had failed to maintain professional boundaries  
10 with students during the 2011-12 school year. On August 10, 2009, Jordan was subject to prior  
11 Commission discipline resulting from a complaint and investigation into similar boundary  
12 issues. As a result, Jordan was on probation with the Commission at the time of the 2011-12  
13 complaint. The conditions of Jordan's probation in part included; *"Compliance with the*  
14 *Standards for Competent and Ethical Performance of Oregon Educators under Oregon*  
15 *Administrative Rules Chapter 584, Division 020. Violation of any of the terms or conditions of*  
16 *probation shall constitute an independent basis for the Commission to revoke Mr. Jordan's*  
17 *license or otherwise impose discipline..."* On June 28, 2012, Jordan pled guilty to, and was  
18 convicted of Harassment, a class B Misdemeanor; related to the 2011-12 boundary complaints.

19 After review of the matters alleged, Jordan and the Commission agree that their  
20 respective interests, together with the public interest, are best served by a stipulation to certain  
21 facts, Surrender and Revocation of Jordan's Oregon Teaching License.

22 This document sets forth the facts upon which the parties have agreed and the stipulated  
23 sanction to be imposed. Jordan stipulates that there is sufficient evidence in the Commission's  
24 files and records to support the findings of fact, conclusions of law, and order set forth below.

25 By signing below, Jordan acknowledges, understands, stipulates, and agrees to the  
26 following: (i) he has been fully advised of his rights to notice and a hearing to contest the  
27 findings of fact, conclusions of law, and order set forth below, and fully and finally waives all  
28 such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final

1 Order of Surrender and Revocation of Licensure (Stipulation and Final Order); (ii) this  
2 Stipulation and Final Order is a public document and disclosed to the public upon request by the  
3 Commission; (iii) this Stipulation and Final Order is contingent upon and subject to approval  
4 and adoption by the Commission. If the Commission does not approve and adopt this  
5 Stipulation and Final Order, then neither Jordan nor the Commission are bound by the terms  
6 herein; (iv) he has fully read this Stipulation and Final Order, and understands it completely; (v)  
7 he voluntarily, without any force or duress, enters into this Stipulation and Final Order and  
8 consents to issuance and entry of the Stipulated Final Order below; (vi) he states that no  
9 promises or representation has been made to induce him to sign this Stipulation and Final  
10 Order; and (vii) he has consulted with an attorney regarding this Stipulation and Final Order  
11 and has been fully advised with regard to his rights thereto, or waives any and all rights to  
12 consult with an attorney prior to entering into this Stipulation and Final Order and issuance and  
13 entry of the Stipulated Final Order below. This Order sets forth the facts upon which the parties  
14 have agreed and the sanction to be imposed. Jordan stipulates that there are sufficient facts  
15 contained in the Commission's files and records to support the findings of fact and conclusions  
16 of law set forth below. In entering into this stipulation, Jordan waives the right to a hearing to  
17 contest the findings of fact, conclusions of law and order set forth below.

#### 18 **STIPULATION OF FACTS**

- 19 1. The Commission has licensed Jordan since May 28, 1986. Jordan currently holds a  
20 Standard Teaching License with an endorsement in Basic/Basic Mathematics, and  
21 Standard Elementary, issued May 4, 2008, that expires on May 3, 2013.
- 22 2. On March 26, 2012, the Commission received information from the Yamhill Carlton  
23 School District indicating Jordan had committed acts of unprofessional conduct.
- 24 3. Investigations by TSPC, the school district, and local law enforcement identified the  
25 following unprofessional conduct on the part of Jordan:
  - 26 a. Jordan engaged in inappropriate physical contact with students including pinning  
27 one student up against a hallway by her arms, and lifting another student upside

1 down, carrying her, by her side and thigh to a recycle bin, and pretending to put her  
2 inside the bin.

3 b. Jordan told one female student that he wore shiny shoes to “*get the blondes’*  
4 *attention*”. This made the student feel uncomfortable.


5 4. During the course of the complaint investigation, three female students told investigators  
6 that during the 2011-12 school year, Jordan had made them feel uncomfortable, by either  
7 appearing to look down their shirts or watching their butts as they walked away.

8 5. Jordan was charged by local authorities with Harassment as related to the “offensive  
9 physical contact” between Jordan and the student who was picked up and carried to the  
10 recycle bin and the student physically pinned to the hallway wall. On June 28, 2012,  
11 Jordan pled guilty to, and was convicted of one count of Harassment, a class B  
12 Misdemeanor.


13 6. Jordan’s actions and behaviors, detailed above, violated his probation agreement with  
14 the Commission as established in Jordan’s 2009 disciplinary order.

15 7. Jordan submitted to a court ordered psychological evaluation which determined that  
16 Jordan was “Impulsive...had some immaturity and boundary issues” but was not  
17 considered harmful, predatory, or sexual in nature; according to the report.

18 IT IS SO STIPULATED:

19   
20 \_\_\_\_\_  
Melvin Jordan

10-30-12  
\_\_\_\_\_  
Date

21   
22 \_\_\_\_\_  
Victoria Chamberlain, Executive Director  
23 Teacher Standards and Practices Commission

10-31-12  
\_\_\_\_\_  
Date

24  
25 **CONCLUSION OF LAW**

26 Melvin Jordan engaged in unprofessional conduct as described in sections three (3) and  
27 four (4) above. This conduct constitutes Gross Neglect of Duty in violation of ORS 342.175(1)(b);  
28 OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional*

1 judgment), and OAR 584-020-0035(1)(c)(D) (*Honoring appropriate adult boundaries with*  
2 *students in conduct and conversation at all times*).

3 Melvin Jordan engaged in unprofessional conduct as described in section five (5) above.  
4 This conduct constitutes Gross Neglect of Duty in violation of ORS 342.175(1)(b); OAR 584-020-  
5 0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*). This conduct  
6 also constitutes gross unfitness in violation of ORS 342.175(1)(c); OAR 584-020-0040(5)(c)  
7 (*Conviction of violating any federal, state, or local law. A conviction includes any final*  
8 *judgment of conviction by a court whether as the result of guilty plea, no contest plea or any*  
9 *other means*), specifically ORS 166.065(1)(a)(A) (*Harassment*). Jordan's conduct that resulted  
10 in the criminal conviction also constitutes gross unfitness in violation of ORS 342.175(1)(c);  
11 OAR 584-020-0040(5)(e) (*Admission of or engaging in acts constituting criminal conduct,*  
12 *even in the absence of a conviction*), specifically ORS 166.065(1)(a)(A) (*Harassment*).

13 Melvin Jordan engaged in unprofessional conduct as described in section six (6) above,  
14 violation of Commission probation. This conduct constitutes Gross Neglect of Duty in violation  
15 of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use*  
16 *professional judgment*); and OAR 584-020-0040(4)(k) (*Knowing violation of any order or*  
17 *rule of the Commission*).

18 The Commission's authority to impose discipline in this matter is based upon ORS  
19 342.175.

20 **ORDER**

21 The Commission adopts the above Stipulation of Facts, accepts the licensure surrender  
22 and revokes the Teaching License of Melvin Jordan.

23 IT IS SO ORDERED this 5<sup>th</sup> day of November, 2012.

24 TEACHER STANDARDS AND PRACTICES COMMISSION

25  
26 By: Victoria Chamberlain  
27 Victoria Chamberlain, Executive Director

CERTIFICATE OF MAILING

I HEREBY CERTIFY that I served the foregoing Stipulation of Facts, Surrender and Revocation of Licensure, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail — Return Receipt Requested, addressed to:

Melvin Douglas Jordan  
PO Box 65  
Yamhill, OR 97148-0065

DATED this 20<sup>th</sup> day of November, 2012.

By:

Patty Liddell

Patty Liddell  
Investigative Assistant