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 Educator License of: ) FINAL ORDER OF SUSPENSION AND PROBATION			
5 6 7	GILBERT GARY GRAMSON )			
8	On June 11, 2009, the Commission received a report from Maureen Sloane			
9	indicating that Gramson may have engaged in conduct constituting Gross Neglect of			
10	Duty.			
11	After review of the matters alleged, Gramson and the Commission agree that			
12	their respective interests, together with the public interest, are best served by a			
13	stipulation to certain facts and a 30 suspension of Gramson's teaching license in the			
14	State of Oregon, plus a 4 year period of probation. Gramson denies the allegations, but			
15	stipulates that there is sufficient information contained in the Commission's files to			
16	support the stipulation of facts set forth below.			
17	By signing below, Gramson acknowledges, understands, stipulates, and agrees to			
18	the following: (i) he has been fully advised of his rights to notice and a hearing to contest			
19	the findings of fact, conclusions of law, and order set forth below, and fully and finally			
20	waives all such rights and any rights to appeal or otherwise challenge this Stipulation of			
21	Facts and Final Order of Suspension (Stipulation and Final Order); (ii) this Stipulation			
22	and Final Order is a public document and disclosed to the public upon request by the			
23	Commission; (iii) this Stipulation and Final Order is contingent upon and subject to			
24	approval and adoption by the Commission. If the Commission does not approve and			
25	adopt this Stipulation and Final Order, then neither Gramson nor the Commission are			
26	bound by the terms herein; (iv) he has fully read this Stipulation and Final Order, and			
27	understands it completely; (v) he voluntarily, without any force or duress, enters into			
28	this Stipulation and Final Order and consents to issuance and entry of the Stipulated			
29	Final Order below; (vi) he states that no promise or representation has been made to			
30	induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an			
31	attorney regarding this Stipulation and Final Order and has been fully advised with			
32	regard to his rights thereto, or waives any and all rights to consult with an attorney prior			
33	to entering into this Stipulation and Final Order and issuance and entry of the Stipulated			

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Final Order below.

## 1 STIPULATION OF FACTS 2 1. Gary Gramson has been licensed as a teacher in Oregon since July 28, 1992. His 3 current Standard Teaching License, with endorsements in Basic Biology, Basic 4 Physics, Basic Chemistry, and Standard Integrated Science, issued on August 31, 5 2007, is valid until August 30, 2012. Gramson made timely application for renewal 6 and his license expiration was extended until the final outcome of this case. During 7 all relevant times, Gramson was employed by the Portland Public School District 8 On May 20, 2009, Gramson angrily confronted and intimidated multiple students in 9 his classroom. During this confrontation Gramson yelled and made fists with his 10 hands, and made statements that he would fight the students for control of the class. 11 3. In January 2009, the district determined Gramson made inappropriate comments 12 and had inappropriate conversations with students involving ethnic/racial issues. 13 The district determined that Gramson made inappropriate comments, considered 14 sexual harassment, to a female student in his class during the course of the 2008-15 2009 school year. 16 4. District reports indicate Gramson has repeatedly failed to manage his classroom(s) 17 as expected by policy. These documented failures include inconsistent disciplinary 18 actions with students, refusal to follow building policy regarding cell phones and 19 confiscation, repeated failure to properly document student behavioral issues and 20 referrals. 21 IT IS SO STIPULATED: 22 3/27//3 Date 6-4-13 23 24 25 26 27 ictoria Chamberlain, Executive Director 28 **Teacher Standards and Practices Commission** 29 **CONCLUSIONS OF LAW** 30 1. By engaging in the conduct in paragraph 2, Gramson committed Gross Neglect of 31 Duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it 32 incorporates OAR 584-020-0010(5) (Use professional judgment), OAR 584-020-33 0025(2)(a) (Establishing and maintaining classroom management that is

1		conducive to learning) and OAR 584-020-0040(4)(e) (Violent or destructive
2		behavior on school premises or at a school-sponsored activity).
3	2.	By engaging in the conduct in paragraph 3, Gramson committed Gross Neglect of
4		Duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it
5		incorporates OAR 584-020-0010(5) (Use professional judgment), OAR 584-020-
6		0010(1) (Recognize the worth and dignity of all persons and respect for each
7		individual), and OAR 584-020-0025(2)(a) (Establishing and maintaining
8		classroom management that is conducive to learning).
9	3.	By engaging in the conduct in paragraph 4, Gramson committed Gross Neglect of
10		Duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it
11		incorporates OAR 584-020-0010(5) (Use professional judgment), OAR 584-020-
12		0025(2)(e) (Using district lawful and reasonable rules and regulations), and
13		OAR 584-020-0025(2)(a) (Establishing and maintaining classroom
14		management that is conducive to learning).
15	4.	The Commission's authority to impose discipline in this matter is based upon
16		ORS 342.175.
17		
18		ORDER
19	1.	Based on the foregoing, the Commission hereby suspends Mr. Gramson's
20		teaching license for 30 days beginning the date that this order is signed by the
21		Executive Director below.
22	2.	As part of any license reinstatement application, Mr. Gramson must provide
23		proof of successful completion of a classroom management class approved by the
24		Commission.
25	3.	The Commission further places Mr. Gramson on probation for a period of 4 years
26		beginning the date that he reinstates his suspended license. During the period of

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1	probation, Mr. Gramson will be subject to the following conditions:
2 3 4	<ul> <li>a. Mr. Gramson will obtain an evaluation from a TSPC-approved evaluator to confirm that Mr. Gramson is not a danger to students or staff;</li> </ul>
5 6 7	<ul> <li>b. Mr. Gramson must engage in any counseling recommended by the counselor;</li> </ul>
8 9 10 11	<ul> <li>Mr. Gramson must file reports with TSPC every six months confirming his participation in counseling and that he has had no arrests or convictions;</li> </ul>
12 13 14	d. Mr. Gramson's counselor must file reports with TSPC every six months confirming that Mr. Gramson is participating in counseling and remains fit to teach;
15	e. Mr. Gramson must immediately report any arrest to TSPC; and
16 17 18 19	f. Mr. Gramson must follow the standards set by TSPC and state law for Oregon
20	4. Violation of any term or condition of probation shall constitute an independent
21	basis for the Commission to revoke Mr. Gramson's teaching license or otherwise
22	impose discipline, after first providing Mr. Gramson with notice and opportunity
23	for hearing.
24 25	Issued and dated this 26 day of April, 2013.
26 27	TEACHER STANDARDS AND PRACTICES COMMISSION STATE OF OREGON
28 29 30	By Uclaud hamberlain Victoria Chamberlain, Executive Director