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STIPULATION OF FACTS

1. Mr. Gross holds a Transitional Teaching License issued August 4, 2000, valid through August 4, 2003.

2. Mr. Gross is employed by the Jefferson County School District.

3. During the 1999/2000 school year Mr. Gross was employed by the Highland School District, Cowiche, Washington.

4. On or about July 13, 2000, the Office of Professional Practices, within the Office of the Superintendent of Public Instruction for the State of Washington, received a complaint letter from the Superintendent of the Highland School District alleging sexual harassment and inappropriate conduct by Mr. Gross.

5. On or about February 16, 1998, the Principal of Marcus Whitman-Cowiche Elementary School, Highland School District, issued Mr. Gross a letter outlining an act of professionally and socially inappropriate behavior by Mr. Gross. The letter advised Mr. Gross of the potential ramifications should Mr. Gross be involved in another incident of professional impropriety.

6. On or about August 9, 1999, the Superintendent of the Highland School District issued a written reprimand to Mr. Gross for inappropriate physical contact with a male elementary student. The written reprimand instructed Mr. Gross not to touch students except in cases of emergency to protect students' safety and that failure to comply with the directive may result in termination of employment with the Highland School District.

7. In May 2000 the Principal of Highland High School, Highland School District, became aware of allegations of unwanted touching of female high school students by Mr. Gross. The District placed Mr. Gross on Administrative Leave. In a Summary of Investigation Report to the Highland Superintendent, the Highland High School Principal recommended that Mr. Gross' employment contract be terminated.

8. On June 14, 2000, the Superintendent of the Highland School District issued

1 Mr. Gross a letter serving as a notice of probable cause for termination of employment.

2 9. Mr. Gross entered into a Resignation, Settlement and Release Agreement with the
3 Highland School District. Mr. Gross submitted his unconditional and irrevocable resignation
4 from any and all contract duties effective June 15, 2000. In exchange for Mr. Gross' resignation
5 the School District agreed to withdraw the June 14, 2000, notice of probable cause for
6 termination of employment.

7 10. On or about July 5, 2000, Mr. Gross completed an Oregon Application for Educator
8 License Form C-1. Mr. Gross answered "no" to question #3 which reads in part; "have you ever
9 failed to complete a contract for educational services in any educational or school related
10 position, or for any alleged misconduct or alleged violation of professional standards of conduct
11 been placed on leave by your employer...?"

12 11. On or about June 19, 2000, Mr. Gross completed an application for employment
13 with the Jefferson County School District in Madras, Oregon. Mr. Gross answered "no" to the
14 questions: "have you ever been dismissed from a teaching position, have you ever been asked
15 to resign from a teaching position?"

16 IT IS SO STIPULATED:

17 Randy Scott Gross
18 Randy Scott Gross

4-13-03
Date

19
20 Victoria Chamberlain
21 Victoria Chamberlain, Executive Director
22 Teacher Standards and Practices Commission

4-7-03
Date

23 **CONCLUSIONS OF LAW**

24 Randy Scott Gross violated OAR 584-020-0040(4)(c) when he made a false statement
25 on his Oregon Application for Educator License Form C-1 and when he made a false statement
26 on his application for employment with Jefferson County School District. This behavior
27 constitutes Gross Neglect of Duty. The Commission's authority to impose discipline in this
28 matter is based upon ORS 342.175.

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ORDER

The Commission adopts the above findings of fact and suspends the Oregon Licensure of Randy Scott Gross for a period of six (6) months effective May 9, 2003. At the end of the suspension period Mr. Gross may apply for reinstatement of Licensure provided he meet the following conditions:

1. Submit a complete application pursuant to OAR 584-050-0015(3) together with supporting documentation and fees;
2. Submit documentation that he has completed (at his own expense), an intensive education program regarding appropriate boundaries with students, including sexual harassment education conducted by a qualified trainer approved in advance by the Commission. This intensive training shall consist of, at least eight (8) contact hours. Mr. Gross shall provide the trainer with a copy of the Order. The program trainer shall provide the Commission with a report of successful program completion;
3. Submit a written consent form to the Commission granting permission for the Commission's Executive Director to contact the provider of the counseling; and
4. Submit a report to the Commission, by a qualified provider of counseling services described above, verifying Mr. Gross' suitability to resume teaching as a licensed educator.

Upon reinstatement of his teaching license, Mr. Gross shall be placed on probation for a period of four (4) years subject to the conditions that:

1. Mr. Gross shall comply with all Standards for Competent and Ethical Performance of Oregon Educators pursuant to Oregon Administrative Rules, Chapter 584, Division 020; and
2. Mr. Gross shall provide an annual report from his building supervisor to the Executive Director of the Commission verifying that Mr. Gross has not violated any Standards. Said report will be due on or before March 15th of each year beginning the academic year of reinstatement of licensure.

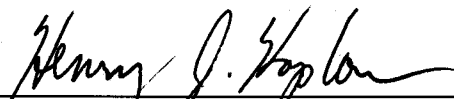
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1 IT IS SO ORDERED this 8th day of May 2003.

2 TEACHER STANDARDS AND PRACTICES COMMISSION

3
4 By 
5 Victoria Chamberlain, Executive Director

6 Approved as to form:

7
8 
9 Henry J. Kaplan, OSB #83055
10 Attorney for Randy Scott Gross

[040203]