BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON In the Matter of the 5 Teaching License of STIPULATION OF FACTS 6 MICHAEL JAMES GUNDLACH AND ORDER OF REVOCATION 7 8 On May 14, 2001, the Teacher Standards and Practices Commission 9 (Commission) informed Michael James Gundlach that the Commission had sufficient 10 evidence to charge him with knowing misrepresentation directly related to his May 2, 11 2000, application for employment with Baker School District and his May 18, 2000, 12 Application for Educator License Form C-1 with the Commission. In addition, the 13 Commission is aware that Mr. Gundlach's Idaho Teaching License is suspended (by 14 default) for three years beginning February 2, 2001. 15 Mr. Gundlach fully cooperated with the Commission's investigation. After a 16 review of the matters alleged, Mr. Gundlach and the Commission have agreed that their 17 respective interests, together with the public interest, are best served by a stipulation of 18 facts and a voluntary surrender of Mr. Gundlach's Oregon Teaching License in 19 accordance with OAR 584-050-0027. In entering into this stipulation, Mr. Gundlach 20 waives his right to a hearing and understands that the Commission will accept the voluntary surrender of his license and will revoke the license. 21 22 Mr. Gundlach enters into this Stipulation of Facts with knowledge the 23 Commission will revoke his Oregon Teaching License. This stipulation is contingent 24 upon approval and adoption of the order by the Commission. If the Commission does 25 not adopt this order, neither Mr. Gundlach nor the Commission are bound by these

stipulations and he retains all rights to a hearing on the allegations.

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- 3 Kellogg School District Superintendent, Greg Godwin, reporting allegations of
- 4 Gundlach's misconduct to the Professional Practices Standards Commission of the
- 5 State of Idaho. The Kellogg School District and the Kellogg Police Department
- 6 investigated an allegation of child abuse (the pinching of a student's ear) and
- 7 inappropriate comments to students.
- 8 2. On or about May 18, 2000, Mr. Gundlach signed and submitted an Application
- 9 For Educator License Form C-1 to the Commission. Mr. Gundlach made knowing
- 10 misrepresentation on his application for licensure by responding "no" to character
- 11 question, "2. Are you currently the subject of an inquiry, review or investigation for
- 12 alleged misconduct or alleged violations of professional standards of conduct?" On
- 13 September 5, 2000, the Commission issued a Basic Teaching License with Standard
- 14 General Business, Accounting and Financial Systems, and Office Systems
- 15 Endorsements to Michael James Gundlach valid until August 23, 2004.
- 16 3. On or about May 2, 2000, Mr. Gundlach signed and submitted a Baker School
- 17 District Certified Application for employment with the District. Mr. Gundlach made
- 18 knowing misrepresentation on the application for employment by responding "no" to the
- 19 Personal History question, "Have you ever: had a report of child abuse or sexual
- 20 activities involving a K-12 student or minor filed against you with a school district,
- 21 Children Services Division, a police agency or in a court?"
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- 4. Mr. Gundlach failed to demonstrate a commitment to use professional judgement when he grabbed a male high school student by the ear after being directed by his supervisor on a prior occasion not to touch that student. 5. Mr. Gundlach failed to demonstrate a commitment to use professional judgement when asked a male high school student about the morals of a female student. IT IS SO STIPULATED: V. Myton, Executive Director
  - **ULTIMATE FINDING OF FACT**

Teacher Standards and Practices Commission

Michael James Gundlach misrepresented information on his application for employment with the Baker School District by failing to disclose that he had a report of child abuse filed against him with a school district and a police agency. Mr. Gundlach misrepresented information on his Application C-1 with the Commission by failing to disclose that he was the subject of an investigation by the Professional Practices Commission for the State of Idaho at the time of his application. Mr. Gundlach failed to demonstrate a commitment to use professional judgment when he pinched a high school students ear and made an inappropriate comment to another high school student as an Idaho licensed educator serving in the Kellogg Idaho School District.

1	CONCLUSION OF LAW				
2	Under ORS 342.175 and OAR 584-020-0040(4)(c), knowing misrepresentation				
3	directly related to licensure and employment are grounds for finding of gross neglect of				
4	duty. Failing to demonstrate a commitment to use professional judgment, OAR 584-				
5	020-0010(5), is also grounds for finding of gross neglect of duty.				
6	ORDER				
7	The Commission revokes the Oregon Teaching License of Michael James Gundlach				
8	for knowing misrepresentation directly related to his employment and licensure as an				
9	educator.				
10	DATED THIS // day of July 2001.				
11 12 13 14 15 16	By: David V. Myton, Executive Director				
18 19 20 21 22 23	Approved as to form:  Ralph E. Wiser OSB# 81423 Attorney for Michael James Gundlach				