1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON In the Matter of the 3 Teaching License of STIPULATION OF FACTS, SUSPENSION, 4 AND ORDER OF PROBATION DAVID S. ROBERTS 5 6 On or about May 17, 2000, the Teacher Standards an Practices Commission (Commission) issued a Notice of Opportunity for Hearing to David S. Roberts (Roberts) in 7 8 which the Commission proposed to suspend or revoke his teaching license or otherwise impose 9 discipline under ORS 342.177. Roberts was charged with engaging in sexual harassment and misuse of district equipment. The Commission and Roberts have now reviewed the matters 10 alleged and agree that their respective interests, together with the public interest, are best served 11 by a stipulation to certain facts, a 90-day suspension of his license and placement on probation 12 for a period of four (4) years. This agreement sets forth the facts upon which the parties have 13 agreed and the sanctions to be imposed. In entering into this stipulation, Roberts waives his right 14 15 to a hearing to contest any of the findings set forth below. 16 FINDINGS OF FACT Roberts holds a current basic teaching license valid until July 20, 2001. 17 1. 2. Roberts was hired October 4, 1999, to fill an unexpected special education 18 vacancy at Hillsboro High School in the Learning Resource Center. 19 20 /// /// 21 /// 22 /// 23

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Department of Justice
1162 Court Street NE
Salem, OR 97310

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- 3. On November 19, 1999, Roberts stood behind a female employee, took her by the 1 2 arms, and kissed her on the cheek. Roberts later told her in substantiate that he had, 3 "overstepped his bounds." A week or two later Roberts came back and in substance said to her, "Watch out. I feel like overstepping my bounds again." The conduct was unwelcome and 4 5 offensive to the employee. 6 4. On November 29, 1999, Roberts grabbed a teacher and gave her a big, chest-tochest hug, patting her back. The conduct was unwelcome and offensive to the teacher. 7 In November 1999, Roberts said to a teacher "Fuck you." Leaning forward 5. 8 Roberts followed by saying, "And I really mean it." The conduct was unwelcome and offensive 9 10 to the teacher. In November 1999, Roberts patted a teacher on the cheek in a manner that was 11 6. perceived as condescending and inappropriate. The conduct was unwelcome and offensive to the 12 13 teacher. Roberts used a district computer to show a sexually explicit video of male 7. 14 genitalia to a female staff member. When the staff member told him not to have the video of a 15 penis on the screen, he responded with "Wait, it's better with music." This conduct was 16 17 unwelcome and offensive. Roberts enters into this Stipulation of Facts with the knowledge that TSPC will adopt an 18 Order requiring the suspension of his license, placing Roberts on four years of probation and 19 20 imposing additional conditions while on probation. This stipulation is contingent upon the
- approval and adoption of the Order by the Commission. If the Commission does not adopt this
 Order, neither Roberts nor the Commission are bound by these stipulations and he retains all
 rights to a hearing on the allegations.

(503) 378-6003

1	IT IS SO STIPULATED:			
2				
3	David S. Roberts $ \frac{9/23/00}{\text{Date}} $			
4	Duvid S. Roberts			
5	Dannel Mmtv 10/31/00			
6	David V. Myton, Executive Director Teacher Standards and Practices Commission Date			
7	CONCLUSIONS OF LAW			
8	1. On or about November 1999, Roberts violated OAR 584-020-0040(4)(l) on			
9	several occasions when he engaged in verbal or physical conduct of a sexual nature described in			
10	the findings of fact.			
11	On or about December 1999, Roberts violated OAR 584-020-0040(4)(n) when			
12	accepted and displayed a sexually explicit e-mail attachment video on a district computer.			
13	OPINION			
14	In consideration of the fact that Roberts had been away from the teaching vocation for a			
15	decade and had not previously been subject to discipline, the Commission concludes the sanction			
16	of suspension and probation is appropriate.			
17	ORDER			
18	The Commission suspends Roberts' license for a period of 90-days commencing			
19	September 1, 2000. Upon reinstatement of his teaching license, Roberts will be placed on			
20	probation for a period of four (4) years subject to the following conditions:			
21	1. During the period of suspension Roberts will attend sexual harassment training of			
22	not less than four hours, at his own expense and as approved by the Executive Director.			

23

1	2. Roberts shall comply with all Commission requirements, including but not limited			
2	to those articulated in OAR 584 Chapter 20 - the Standards for Competent and Ethical			
3	Performance by Oregon Educators.			
4	3.	Roberts will notify the Commission's Executive Director of employment as a		
5	licensed teacher in this state or elsewhere and any discipline or investigation occurring while			
6	employed as a teacher and during the period of this probation.			
7	4. Roberts will provide to the Commission such information as requested to verify			
. 8	that he has complied with the conditions of probation, including a statement from his employing			
9	district that he has complied with the standards for competent and ethical performance.			
10	Violation of any terms of probation shall constitute a basis for the Commission to revoke			
11				
12	DATED this 17 day of August 2000.			
13		TEACHER ST	ANDARDS AND PRACTICES COMMISSION	
14	By: Warril Mythe			
15				
16	Approved as	to form:		
17		1/2/		
18	John Bishop	Mug	<u>/0 - 05 - 20</u> Date	
19		David S. Roberts		
20		′		
21	Gary M. Cor	~ Cordy	9-15-00 Date	
22	Attorney for	J		
23				

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