

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

3 In the Matter of the Teaching License of)
4 GERALD LEE WALTERS) SURRENDER OF TEACHING
5) LICENSE, STIPULATION AND
6) ORDER

6 On November 22, 1999, Teacher Standards and Practices Commission (Commission)
7 issued a Notice of Opportunity for Hearing to Gerald Lee Walters in which the Commission
8 proposed to suspend or revoke the teaching license of Mr. Walters or otherwise impose
9 discipline under ORS 342.177, based on the alleged misconduct identified in the Notice. Mr.
10 Walters requested a hearing through his attorney, Thomas Doyle, on November 30, 1999. The
11 Commission and Mr. Walters have now reviewed the matters alleged in the Notice and have
12 agreed that their respective interests together with the public interest are best served by a
13 surrender of Mr. Walters' teaching license and a stipulation to certain facts. Mr. Walters
14 continues to deny wrongdoing. However, he stipulates that there are sufficient facts in the
15 record to support the factual findings set forth below, and he acknowledges and consents to the
16 Commission making these findings. In entering this stipulation, Mr. Walters waives his right
17 to a hearing and understands that the Commission will adopt the findings of fact, accept the
18 surrender of his teaching license and revoke his teaching license.

19 FINDINGS OF FACT

- 20 1. Mr. Walters holds a Standard Oregon Teaching License. He has held a teaching
21 license in Oregon since July 1976. He was employed as a teacher by the Eugene School
22 District from August 1976 until August 1999 when he resigned his position with the district.
23 2. As a school employee, Mr. Walters had a mandatory duty to make a report to
24 the State Office for Services to Children and Families or to a law enforcement agency if Mr.
25 Walters had reasonable cause to believe child abuse had occurred, including sexual contact
26 between an adult and a person under 18 years of age.

1 3. During the winter and summer of 1997, Mr. Walters lived with an adult male
2 roommate. In February 1997 and again in July 1997, the roommate had physical sexual
3 contact with a 15-year old male student. The July sexual contact occurred at the residence of
4 the roommate and Mr. Walters.

5 4. The Commission finds that in July 1997, Mr. Walters became aware that
6 sexual contact had occurred between the roommate and the student. Mr. Walters denies that he
7 knew of this sexual contact at that time.

8 5. The Commission finds that Mr. Walters failed to report this information to the
9 State Office for Services to Children and Families or to a law enforcement agency. Mr.
10 Walters denies any wrongdoing because he did not know of the sexual contact.

11 6. During the summer of 1997, Mr. Walters began a correspondence through email
12 with a 13-year old student.

13 7. During these email exchanges, Mr. Walters and the young man disclosed to one
14 another that each of them was gay.

15 8. In the fall of 1997, Mr. Walters and the student met in person following a
16 dramatic production of "The Rocky Horror Show" at a Eugene theater.

17 9. In the fall of 1998, the student, who was then age 14, successfully auditioned
18 for a small part in a new production of the play.

19 10. On about November 7, 1998, Mr. Walters and the student attended a party at the
20 house of a cast member following a production of the play.

21 11. The Commission finds that during the party, Mr. Walters had sexual contact
22 with the student by kissing him on the mouth and by touching his back, waist and penis
23 outside his clothing. Mr. Walters denies these allegations.

24 12. After leaving the party, Mr. Walters, the student and several other people shared
25 a car ride home. The Commission finds that, during the ride, Mr. Walters had sexual contact
26

1 with the student by placing his hands inside the student's trousers and touching the student's
2 penis. Mr. Walters denies these allegations.

3 13. In support of Mr. Walters' denial of the above allegations, Mr. Walters points to
4 witnesses who were present during the alleged incidents but who did not see any sexual
5 contact. Mr. Walters also denies wrongdoing as to the other allegations.

6
7 Gerald Walters
Gerald Lee Walters

7/27/00
Date

8
9 David V. Myton
David V, Myton
10 Executive Director

8/28/00
Date

11 CONCLUSIONS OF LAW

12 1. Mr. Walters failed to report an incident of child abuse in violation of ORS
13 419B.010 when he had reasonable cause to believe that sexual contact had occurred between a
14 15-year old student and Mr. Walters' roommate. This action constitutes gross neglect of duty
15 in violation of OAR 584-020-0040(4)(o) and gross unfitness under OAR 584-020-0040(5)(e).

16 2. Mr. Walters had sexual contact with a 14-year old student. This
17 action constitutes gross neglect of duty in violation of OAR 584-020-0040(4)(f).

18 Based on the foregoing, the Commission accepts the surrender of the teaching license
19 of Gerald Lee Walters and revokes Mr. Walters' teaching license.

20 IT IS SO ORDERED this 28th day of Sept July, 2000.

21 TEACHER STANDARDS AND PRACTICES COMMISSION

22 David V. Myton
23 David V. Myton, Executive Director
24
25
26