

- 1 1. Mr. Gordon holds a Standard Teaching License with an endorsement in social
2 studies. He has been employed since 1981 by the Prospect School District as a
3 social studies teacher and a coach.
- 4 2. The Commission previously disciplined Mr. Gordon under a stipulated order
5 dated July 17, 1998. At that time, Mr. Gordon was issued a public reprimand and
6 placed on probation for a period of three years based on stipulated facts that he
7 had engaged in a history of inappropriate physical contacts with students and
8 inappropriate verbal comments to students. As a condition of probation, Mr.
9 Gordon was required to attend a course or workshop on the subject of sexual
10 harassment.
- 11 3. During the 2000-2001 school year, Mr. Gordon served as basketball coach for the
12 Prospect High School boys' basketball team and as a social studies teacher at the
13 high school. MM was a male student in Mr. Gordon's Citizenship class.
- 14 4. Some students at the school had teased MM by suggesting that he was a
15 homosexual, but Mr. Gordon states that he was unaware of this teasing.
- 16 5. During the fall of 2000, MM asked Mr. Gordon many times when practices would
17 be beginning for the boys' basketball team. In several instances, Mr. Gordon
18 answered MM by stating that he did not coach girls' basketball. Mr. Gordon's
19 comments suggested that MM should be playing on the girls' team rather than the
20 boys' team.
- 21 6. MM had been friends with another male student in Mr. Gordon's Citizenship
22 class. Some students had teased MM by suggesting he had a romantic
23 relationship with this student, but Mr. Gordon states that he was not aware of that

1 teasing. One day in October 2000, the student was absent from class. In the
2 presence of other students in the class, Mr. Gordon asked MM if he knew where
3 the other student was. MM replied that he didn't know. Mr. Gordon said to MM,
4 "What happened, did you and [the student] have a fight?" Mr. Gordon's
5 statement caused embarrassment and humiliation to MM.

6 7. During the 2000-1 school year, Mr. Gordon spent considerable time working with
7 MM. As a general matter, Mr. Gordon and MM enjoyed a positive and
8 constructive teacher-student relationship. There is no evidence that Mr. Gordon
9 intended his remarks to MM to be hurtful or embarrassing.

10
11 Michael R. Gordon
12 Michael R. Gordon

7-25-01
Date

13 David V. Myton
14 David V. Myton

7/19/01
Date

15
16 CONCLUSION OF LAW

17 The above-described conduct of Michael R. Gordon constitutes verbal conduct which had
18 the effect of unreasonably interfering with the educational performance of a student and creating
19 an intimidating, hostile or offensive educational environment in violation of OAR 584-020-
20 0040(4)(f).

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1 DISCUSSION

2 The Commission views Mr. Gordon's remarks as serious, especially in light of the fact
3 that Mr. Gordon has been previously disciplined by the Commission for sexually inappropriate
4 conduct. An additional aggravating factor is that Mr. Gordon was still on probation at the time
5 of these events, and he had made these comments after he had already attended a class on sexual
6 harassment as a condition of his probation. On the other hand, the Commission recognizes that
7 Mr. Gordon has expressed remorse for his statements and that he has put in extra time and effort
8 on behalf of this student and other students. Considering all these circumstances, the
9 Commission concludes that Mr. Gordon's violation of standards was more the result of poor
10 judgment than a deliberate attempt to humiliate or embarrass this student. Accordingly, the
11 Commission chooses to suspend Mr. Gordon's license for a brief period, to extend his probation
12 and to require him to undergo more intensive training in the area of sexual harassment.

13 ORDER

14 The Commission suspends the license of Michael R. Gordon for a period of 30 days
15 commencing on the date this stipulation is signed by Mr. Gordon. Upon reinstatement, Mr.
16 Gordon shall be placed on probation for a period of three years from the date of this order,
17 subject to the following conditions:

- 18 1. Within six months of the date of this order, Mr. Gordon, at his own expense, shall
19 attend an intensive education program regarding sexual harassment and
20 appropriate boundaries with students. The training shall be conducted by a
21 qualified trainer who is approved in advance by the Commission. The training
22 shall consist of a minimum of 7.5 hours and shall include at least three sessions.

23 Mr. Gordon shall provide the trainer with a copy of this order and a copy of the

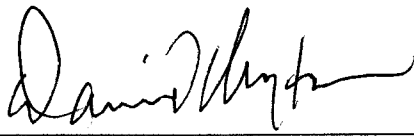
1 Commission's previous order dated July 17, 1998. Mr. Gordon shall also direct
2 the trainer to provide to the Commission a report of Mr. Gordon's successful
3 program completion.

- 4 2. Mr. Gordon shall comply with all standards for competent and ethical
5 performance of educators under OAR 584 Division 020.

6 Violation of any of the terms of this probation may constitute an independent basis for
7 the Commission to impose discipline, up to and including revocation of Mr. Gordon's teaching
8 license, subject to Mr. Gordon's right to a hearing on the issue of whether he violated probation.

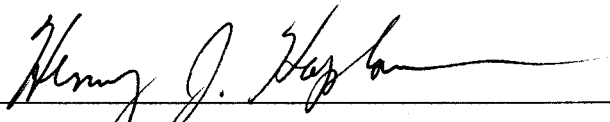
9 DATED this 8th day of August, 2001

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11 TEACHERS STANDARDS AND PRACTICES COMMISSION

12
13 By: 

14
15 David V. Myton, Executive Director

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17 APPROVED AS TO FORM:

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19 
20 Henry Kaplan of Attorneys for Michael R. Gordon