

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

3 In the Matter of the ) STIPULATION OF FACTS,  
4 Teaching License of ) SURRENDER AND  
5 DANIEL CHRISTOPHER MURPHY ) ORDER OF REVOCATION

6 On November 26, 2004, the Teacher Standards and Practices Commission  
7 (Commission) received a report from Randy Harvey, Director of Human Resources and  
8 Operations, Tigard-Tualatin School District, indicating that Daniel Christopher Murphy (Murphy),  
9 engaged in unprofessional conduct with female students and staff.

10 After review of the matters alleged, Mr. Murphy and the Commission agree that their  
11 respective interests, together with the public interest, are best served by a stipulation to certain  
12 facts and surrender of his teaching license as per OAR 584-050-0027.

13 This Order sets forth the facts upon which the parties have agreed and the sanction to  
14 be imposed. Mr. Murphy stipulates that there are sufficient facts contained in the Commission's  
15 files and records to support the findings of fact and conclusions of law set forth below. In  
16 entering into this stipulation, Mr. Murphy waives the right to a hearing to contest the finding of  
17 fact, conclusion of law and order set forth below. Mr. Murphy understands that the Commission  
18 will revoke his teaching license.

19 This stipulation is contingent upon approval and adoption of the Order by the  
20 Commission. If the Commission does not adopt this Order, neither Mr. Murphy nor the  
21 Commission are bound by these Stipulations and Mr. Murphy retains all rights to a hearing on  
22 the allegations.

23 **STIPULATION OF FACTS**

24 1. Mr. Murphy holds a Transitional Teaching License valid May 21, 2002, through  
25 May 21, 2005, endorsed in Integrated Science.

26 2. During the 2002-2003 school year Mr. Murphy served as science teacher for the  
27 Beaverton School District on a one year temporary contract at Westview High School.

1 3. During the 2002-2003 school year, female students at Westview High School  
2 reported that Mr. Murphy touched them on the shoulders and made them feel uncomfortable.  
3 Both male and female students reported that Mr. Murphy told inappropriate jokes of a sexual  
4 nature in class.

5 4. During the 2002-2003 school year, staff members at Westview High School reported  
6 that Mr. Murphy told inappropriate jokes of a sexual nature at school.

7 2. On August 25, 2003, Tigard-Tualatin School District hired Mr. Murphy as a science  
8 teacher and assigned him to Fowler Middle School. Mr. Murphy resigned his employment with  
9 the District on October 22, 2004.

10 3. In October of 2004, a female 7<sup>th</sup> grade student reported that during the spring of the  
11 2003-2004 school year, at Fowler Middle School, Mr. Murphy hit her buttocks on two separate  
12 occasions and engaged in inappropriate conversations with her while she served as his  
13 teacher's assistant.

14 4. A female 6<sup>th</sup> grade student, attending Fowler Middle School, reported that  
15 Mr. Murphy "smacked/touched" her on the buttocks to get her attention on September 8, 2004.  
16 The same female student reported that on September 23, 2005, Mr. Murphy asked her when  
17 she would be of legal age. When the female student responded, "In five years, why?" Mr.  
18 Murphy told her that he would be 40 years old then and asked if that would be too old for her.

19 5. Female staff members at Fowler Middle School reported that during the 2003-2004  
20 school year Mr. Murphy made offensive sexual comments to them which included sexual  
21 advances.

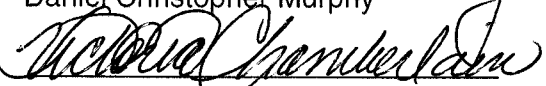
22 6. Mr. Murphy struck a female staff member on the buttocks with a magazine. When  
23 she objected and told him not to ever do that again. He responded by asking her if she liked it  
24 harder.

1 7. Three female staff members reported that Mr. Murphy rubbed his hands on their  
2 shoulders/back. Two female staff members reported that he continued to touch them in this  
3 manner after they told him to stop.

4 IT IS SO STIPULATED:

5   
6 Daniel Christopher Murphy

4/11/05  
Date

7   
8 Victoria Chamberlain, Executive Director  
9 Teacher Standards and Practices Commission

4-11-05  
Date

10 **CONCLUSIONS OF LAW**

11 Mr. Murphy's inappropriate sexual comments to students, including jokes he told to  
12 students in class, constitute Gross Neglect of duty in violation of OAR 584-020-0040(4)(f). The  
13 inappropriate physical contact Mr. Murphy engaged in with female students constitutes Gross  
14 Neglect of duty in violation of OAR 584-020-0040(4)(f). The inappropriate physical contact and  
15 sexual comments Mr. Murphy made to female staff members created an offensive and hostile  
16 work environment in violation of OAR 584-020-0040(4)(l). The Commission's authority to  
17 impose discipline in this matter is based upon ORS 342.175.

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1  
2 **ORDER**

3 The Commission accepts the surrender of Daniel Christopher Murphy's Transitional  
4 Teaching License and hereby revokes said license.

5 IT IS SO ORDERED this 28<sup>th</sup> day of April, 2005.

6 TEACHER STANDARDS AND PRACTICES COMMISSION

7 By:   
8 Victoria Chamberlain, Executive Director

9  
10 Approved as to form:

11  
12  4/12/05  
13 Adam S. Arms, OSB#01018  
14 Attorney for Daniel Christopher Murphy  
15

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