

1 **STIPULATION OF FACTS**

2 1. On December 28, 1999, Mr. Gundlach received a copy of a letter written by
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.

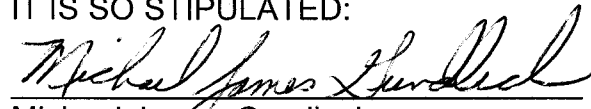
16 3. On or about May 2, 2000, Mr. Gundlach signed and submitted a Baker School
17 District Certified Application for employment with the District. Mr. Gundlach made
18 knowing misrepresentation on the application for employment by responding "no" to the
19 Personal History question, "Have you ever: 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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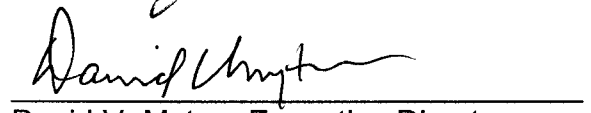
1 4. Mr. Gundlach failed to demonstrate a commitment to use professional
2 judgement when he grabbed a male high school student by the ear after being directed
3 by his supervisor on a prior occasion not to touch that student.

4 5. Mr. Gundlach failed to demonstrate a commitment to use professional
5 judgement when asked a male high school student about the morals of a female
6 student.

7 IT IS SO STIPULATED:

8 
9 Michael James Gundlach

5/30/01
Date

10 
11 David V. Myton, Executive Director
12 Teacher Standards and Practices Commission

5/23/01
Date

15 **ULTIMATE FINDING OF FACT**

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

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1 **CONCLUSION OF LAW**

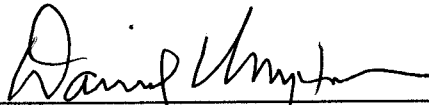
2 Under ORS 342.175 and OAR 584-020-0040(4)(c), knowing misrepresentation
3 directly related to licensure and employment are grounds for finding of gross neglect of
4 duty. Failing to demonstrate a commitment to use professional judgment, OAR 584-
5 020-0010(5), is also grounds for finding of gross neglect 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 11th day of July 2001.

11
12 Teacher Standards and Practices Commission

13
14 By: 
15
16 David V. Myton, Executive Director

17
18 Approved as to form:

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21 _____
22 Ralph E. Wiser OSB# 81423
23 Attorney for Michael James Gundlach