

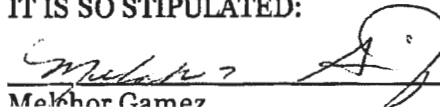
1 advised with regard to his rights thereto, or waives any and all rights to consult with an
2 attorney prior to entering into this Stipulation and Final Order and issuance and entry of
3 the Stipulated Final Order below.

4 **STIPULATION OF FACTS**

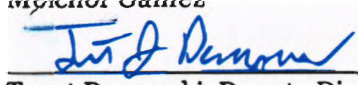
- 5 1. The Commission has licensed Gamez since August 7, 2015. Gamez previously
6 held a Preliminary Teaching License, with an endorsement in World Language –
7 Spanish (PK-12), valid from April 26, 2017, through January 6, 2021. During all
8 relevant times, Gamez was employed by the Willamette Educational School
9 District (WESD).
- 10
- 11 2. On December 16, 2019, TSPC received a School District Misconduct Report from
12 WESD. The report stated that WESD had been contacted by the Lane ESD with
13 information that Gamez allegedly engaged in unwanted touching and attention of
14 a female Lane ESD employee.
- 15
- 16 3. Investigation determined that on October 2, 2019, while attending a national
17 conference in Miami Florida representing WESD, Gamez touched the tattoo on
18 the arm of Lane ESD employee, JW, with his finger. Gamez did this in front of
19 multiple witnesses in a hotel lounge and made a comment about the texture of
20 JW's skin around the area where he touched being different from skin that was
21 not tattooed. Later the same evening, it was reported that Gamez encouraged JW
22 to play "dead finger" with Gamez because he felt the game simulated the texture
23 of tattooed skin. These interactions and the physical touching made JW
24 uncomfortable. When JW returned to Oregon, she reported the incident to her
25 supervisors at Lane ESD, and WESD began an investigation. WESD investigation
26 substantiated the allegations, and Gamez resigned in lieu of termination.
- 27
- 28 4. On March 30, 2021, Gamez was interviewed by Commission investigative staff
29 regarding this incident in the presence of Gamez's attorney, Caleb Mammen.
30 During the interview, Gamez admitted to touching JW's tattoo. Gamez reported
31 that he had asked and received permission before he did so. Gamez reported that
32 the entire incident was mischaracterized, and he stated that he meant nothing
33 sexual by his interactions with JW while in Miami. Gamez reported that one of
34 the witnesses to this incident wanted him fired so they could take his position at
35 WESD. Gamez reported that the allegations against him were "nonsense." A

1 review of Commission disciplinary records confirms this is Gamez's second
2 offense of this nature. Commission records indicate that Gamez was issued a
3 Public Reprimand for allegations involving greeting a colleague with a hug in
4 June 2019.

5
6 IT IS SO STIPULATED:

7 
8 Melchor Gamez

3/10/23
Date

9 
10 Trent Danowski, Deputy Director
11 Teacher Standards and Practices Commission

3/14/2023
Date

12
13
14 **CONCLUSION OF LAW**

15 The conduct described above constitutes gross neglect of duty in violation of ORS
16 342.175(1)(b); OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-
17 0025(2)(e) (*Using district lawful and reasonable rules and regulations*).

18
19 The Commission's authority to impose discipline in this matter is based upon
20 ORS 342.175.

21 **ORDER**

22 The Commission adopts and incorporates herein the above findings of fact and
23 conclusions of law, and based thereon, imposes a suspension of Gamez's Oregon
24 educator license for a period of three (3) months. Additionally, the commission imposes
25 a term of Probation for not less than three (3) years with a required Sexual Harassment
26 Training to be completed within the first six (6) months of Probation.

27
28 Issued and dated this 7 day of April, 2023.

29 **TEACHER STANDARDS AND PRACTICES COMMISSION**
30 **STATE OF OREGON**

31
32 By 

33 Dr. Anthony Rosñez, Executive Director