### BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION

## 2 OF THE STATE OF OREGON

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3	In the Matter of the	)	STIPULATION OF FACTS AND
4	Educator License of	)	FINAL ORDER OF DENIAL
5	MICHAEL FREDERICK BISHOP	)	AND SUSPENSION OF RIGHT TO APPLY

On or about July 31, 2013, the Teacher Standards and Practices Commission (Commission) referred Bishop's application for renewal of his license to investigations based on Bishop's affirmative answer to character question three, "Have you ever been placed on leave by your employer for alleged misconduct?" Subsequent investigation determined that Michael Frederick Bishop (Bishop) violated professional standards.

Bishop cooperated with the Commission's investigation in this matter. After review of the matters alleged, Bishop and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts, the denial of Bishop's application for an Oregon educator license, imposition of a ninety (90) day suspension of Bishop's right to apply for an Oregon educator license, and specific training prior to reinstatement.

This document sets forth the facts upon which the parties have agreed and the stipulated sanction to be imposed. Bishop stipulates that there is sufficient evidence in the Commission's files and records to support the findings of fact, conclusions of law, and order set forth below.

By signing below, Bishop acknowledges, understands, stipulates, and agrees to the following: (i) he has been fully advised of his rights to notice and a hearing to contest the findings of fact. conclusions of law, and order set forth below, and fully and finally waives all such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Denial and Suspension of Right to Apply (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to the public upon request by the Commission; (iii) this Stipulation and Final Order is contingent upon and subject to approval and adoption by the Commission. If the Commission does not approve and adopt this Stipulation and Final Order, then neither Bishop nor the Commission are bound by the terms herein; (iv) he has fully read this Stipulation and Final Order, and understands it completely; (v) he voluntarily, without any force or duress, enters into this Stipulation and Final Order and consents to issuance and entry of the Stipulated Final Order below; (vi) he states that no promises or representation has been made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an attorney regarding this Stipulation and Final Order and has been fully advised with regard to his rights thereto, or waives any and all rights to consult with an attorney prior to entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order below.

### STIPULATION OF FACTS

- 2 1) The Commission has licensed Bishop since March 16, 1984. Bishop currently holds a Standard Teaching License with endorsements in Middle School Social Studies (023) and Standard 3 Language Arts, valid from August 14, 2008, which was scheduled to expire on August 13, 2013. 4 Bishop made timely application for renewal of his license, and Bishop's licensure expiration was 5 pended awaiting the outcome of the investigation. Bishop previously held an Initial Administrator 6 7 License that was valid from April 26, 2011, through August 13, 2014. Bishop did not apply for 8 renewal of his Administrative License. During all relevant times, Bishop was employed by the 9 Portland Public Schools District.
- 10 2) Bishop was previously subject to a Commission investigation in 2011, but no action was taken 11 against Bishop's license at that time. Bishop submitted an application for renewal on July 18, 12 2013. As part of the renewal process, a background investigation was performed.
  - 3) The Commission's investigation determined the Portland Public Schools District had been working with Bishop regarding several performance issues. According to the district, these performance issues continued despite attempts to resolve them. These performance issues eventually culminated to a level that the district decided to continue with a plan of assistance and other related disciplinary action against Bishop. On May 1, 2014, Bishop elected to retire from his employment with Portland Public Schools. Investigation revealed the following misconduct and performance issues:
    - a) Lack of proper oversight and supervision of students, including leaving a special education student behind at school during a field trip, failing to monitor the location of a special education student who did not return to Bishop's classroom after a bathroom break or notify the administration that the student was missing, and allowing his homeroom class to participate in a "Rotation Station" event unsupervised for approximately 45 minutes.
    - b) Lack of adequate instruction, lack of coherent assessment, and lack of clear and timely communication to students and families regarding student achievement, including failing to keep accurate and timely grade records resulting in a significant amount of patron complaints and removal of students from the classroom.
    - c) Use of an inappropriate video as part of his curriculum that contained sexualized content.

31 32	IT IS SO STIPULATED: Michael Frederick Bishop	april 23, 2015
	•	Date 4-30-15
	Victoria Chamberlain, Executive Director	Date

36 Teacher Standards and Practices Commission

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CONCLUSIONS OF LAW

Michael Bishop's conduct as described in section 3(a) above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(1) (Recognize the worth and dignity of all persons and respect for each individual), OAR 584-020-0010(5) (Use professional judgment), OAR 584-020-0010(6) (Promote equitable learning opportunities); and (OAR 584-020-0025(2)(e) (Using district lawful and reasonable rules and regulations).

Michael Bishop's conduct as described in section 3(b) above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (Use professional judgment), OAR 584-020-0015(2)(b) (Skill in setting instructional goals and objectives expressed as learning outcomes), OAR 584-020-0015(2)(e)( Skill in the selection and use of teaching techniques conducive to student learning), OAR 584-020-0020(2)(a) (Multiple ways to assess the academic progress of individual students), (OAR 584-020-0020(2)(b) (Skill in the application of assessment data to assist individual student growth); and OAR 584-020-0040(4)(0) as it incorporates OAR 584-020-0035(2)(c) (Strive for continued improvement and professional growth).

Michael Bishop's conduct as described in section 3(c) above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (Use professional judgment), OAR 584-020-0015(2)(a)(Use of state and district adopted curriculum and goals), OAR 584-020-0015(2)(c) (Use of current subject matter appropriate to the individual needs of students), OAR 584-020-0015(2)(e) (Skill in the selection and use of teaching techniques conducive to student learning),; and OAR 584-020-0025(2)(e) (Using district lawful and reasonable rules and regulations).

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

#### **ORDER**

The Commission hereby adopts and incorporates herein the above stipulation of facts, conclusions of law, and based thereon hereby imposes a denial of Bishop's application to renew and ninety (90) day suspension upon Bishop's right to apply for an Oregon educator license as follows:

Michael Frederick Bishop's application for an Oregon educator license is hereby denied, and his right to apply for an Oregon educator license is suspended for ninety (90) days following the adoption of this order.

1	Furthermore, the Commission imposes the following terms and conditions for reliistatement:
2	1. Reinstatement from suspension is contingent upon successful completion of a Commission
3	approved classroom management training specifically addressing special education in an
4	elementary grade setting <sup>i</sup> .
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6	anth a
7	IT IS SO ORDERED this 25 day of June, 2015.
8	TEACHER STANDARDS AND PRACTICES COMMISSION
9	$\mathcal{F}_{m}$ $\mathcal{M}_{m}$
10	By: Milata Chamberlain
11	Victoria Chamberlain, Executive Director

<sup>&</sup>lt;sup>1</sup> Italic section "correction" added by mutual agreement of signing parties after first party had signed.