

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

In the Matter of the)	
Special Substitute Teaching License of)	DEFAULT ORDER
JOHN CHARLES BUCKLEY)	REVOKING LICENSE
)	

On or about January 23, 1996, the Teacher Standards and Practices Commission received information from Jim Chapman, Superintendent of North Lake SD, indicating that John Charles Buckley, a substitute teacher in the district had violated Standards for Competent and Ethical Performance of Oregon Educators. The Executive Secretary took action to notify Mr. Buckley of intent to revoke his Special Substitute Teaching License, and to inform him of his opportunity for hearing. The notice, dated May 30, 1996, and signed by David V. Myton, Executive Secretary, stated:

"You, John Charles Buckley, are entitled to a hearing on the proposed action of the Commission. If you want a hearing, you must file a written request for a hearing with the Commission within 21 days of the date of this notice."

The notice of opportunity for hearing was sent by U.S. Certified Mail, Return Receipt Requested #196 851 012. The receipt was returned to TSPC on June 6, 1996 and was signed by Mr. Buckley on June 3, 1996. Mr. Buckley did not request a hearing.

FINDINGS OF FACT

1. While employed on a Special Substitute Teaching License in North Lake School District, John Charles Buckley made numerous comments of a sexual nature to students regarding their appearance, dress, perfume and physical appeal.
2. Buckley made statements to female students regarding his desire to put his hand in their shirt and jeans pockets, to go to bed with them, and to cuddle them.
3. Buckley made statements of a sexual nature to male students about female students. He told male students sexual jokes and asked male students about their sexual experiences.
4. During a science class on chemical compounds, Buckley made and permitted comments about breasts and penises which were irrelevant to the lesson being taught. The discussion was perceived by students to have sexual inferences and some complained that the class session made them uncomfortable.
5. Buckley was given opportunity to respond to the district's investigation, but failed to reply or appear in person to discuss the allegations with the superintendent of the district. The district terminated Mr. Buckley on January 11, 1996, for improper conduct with students.

ULTIMATE FINDINGS OF FACT

John Charles Buckley's conduct constituted gross neglect of duty under OAR 584-20-040(4)(f) for verbal comments of a sexual nature directed toward students.

CONCLUSIONS OF LAW


Under ORS 342.175(5) a violation of Standards for Competent and Ethical Performance of Oregon Educators is admissible as evidence of gross neglect of duty.

ORDER

The Commission revokes the Special Substitute Teaching License #292485, issued to John Charles Buckley,

Dated this 6th day of August, 1996.

TEACHER STANDARDS AND PRACTICES COMMISSION

By: 
David V. Myton, Executive Secretary

NOTICE OF APPEAL OR RIGHTS

YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.

DVM/cs