

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

In the Matter of the)	STIPULATION OF FACTS AND
Educator License of)	FINAL ORDER OF
ERICH S. HARJO)	PUBLIC REPRIMAND AND
)	PROBATION

On May 21, 2021, the Teacher Standards and Practices Commission (Commission) received a misconduct report from the Hood River School District (HRSB), indicating possible professional misconduct on the part of licensed educator, Erich S. Harjo (Harjo).

After review of the matters alleged, Harjo and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts and the imposition of a Public Reprimand and a three (3) year period of probation.

This Order sets forth the facts upon which the parties have agreed and the sanction to be imposed. Harjo stipulates that there are sufficient facts contained in the Commission's files and records to support the findings of fact and conclusions of law set forth below. In entering into this stipulation, Harjo waives the right to a hearing to contest the findings of fact, conclusions of law and order set forth below.

By signing below, Harjo 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 Public Reprimand (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 Harjo 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 promise 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.

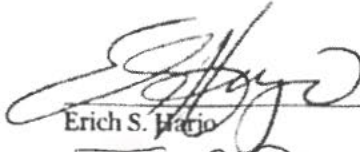
STIPULATION OF FACTS

1. The Commission has licensed Harjo since August 23, 2005. Harjo currently holds a Professional Teaching License with endorsements in Health (PK-12) and Physical Education (PK-12). The license was issued on July 17, 2018 and expires on May 17, 2023. During all relevant times, Harjo was employed by the Hood River School District (HRSD).
2. On May 21, 2021, TSPC received a School District Misconduct Report from the Human Resources Department of the HRSD. The report alleges that Harjo made unwelcome statements to [REDACTED], another teacher in the district, on or about April 1, 2020. The statements Harjo made were allegedly inappropriate and flirtatious in nature. It was reported that these statements made [REDACTED] feel uncomfortable.
3. An investigation conducted by the HRSD resulted in the allegations being substantiated. Per district records, on April 5, 2021, [REDACTED], a [REDACTED] teacher at Hood River [REDACTED] reported to her supervisor that she had been sexually harassed by Harjo, her teaching mentor at the HRSD. [REDACTED] reported that on or about April 1 or 2, 2020, during the Covid-19 pandemic shut-down, Harjo called her stating that he was near her house and asked if she wanted him to come over and do a "wellness check." [REDACTED] agreed to the visit. A short time later, while at [REDACTED]'s residence Harjo made two comments while looking at a photo of [REDACTED] wearing swim/workout attire. The comments [REDACTED] states Harjo made were "[REDACTED], is this your ass I'm looking at?" and "Does it make you uncomfortable that I'm looking at your ass?" [REDACTED] reported that the comments made her feel uncomfortable. [REDACTED] stated that she spoke with another teacher in the HRSD about this incident later that day. She reported that she did not initially report the matter to administration because she was a new employee and didn't want to create waves and drama in the district. [REDACTED] stated that she called Harjo the day after this encounter and left him a voicemail expressing her

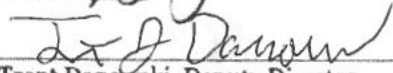
"disapproval" over his actions. Harjo and [REDACTED] spoke later in the day via phone and agreed to keep their relationship "professional and only about work." [REDACTED] stated that Harjo did nothing else to make her feel uncomfortable after this call. [REDACTED] reported this matter to HRSD administration a year later, on April 5, 2021. Harjo was placed on administrative leave while the matter was investigated and on April 26, 2021, HRSD issued Harjo a 3-day suspension without pay and he was reassigned from the HRVHS to the Mid-Valley Elementary School.

4. Harjo interviewed with TSPC investigative staff on January 6, 2022. During the interview Harjo denied making any inappropriate comments about [REDACTED]'s body while at her residence on April 1 or 2, 2020. Harjo reported that, after calling her to make sure it was okay, he had dropped by to check on [REDACTED] at her home because he was her assigned mentor, and he wanted to check on her well-being during the newly imposed COVID-19 quarantine period. He reported that he knew she was new to Oregon/Hood River and did not have local family or other supports there. Harjo reported that she invited him in to show him her house, and he commented about a couple of pictures she had displayed, but he denied making any comments about her "ass" or body or having any sort of conversation that could have been construed as sexual and/or flirtatious in nature. Harjo reported to TSPC investigative staff that he disagreed with the conclusion and action the HRSD had taken with regards to this incident and was concerned that [REDACTED] reported the matter over a year later only after he, as the Professional Learning Community (PLC) lead, expressed concerns to the principal about [REDACTED] not attending PLC meetings. Harjo also shared that [REDACTED] called him in the Fall of 2020 to seek advice on a highly personal matter, which seemed inconsistent with her later reported discomfort with him. Harjo ended the interview with TSPC by indicating that this had been the hardest year of his life and indicated that he had reflected a lot on his need to adjust his personal boundaries with staff so nothing like this ever happens again in the future.

IT IS SO STIPULATED:


Erich S. Harjo

September 14, 2022
Date


Trent Danowski, Deputy Director
Teacher Standards and Practices Commission

9/22/2022
Date

CONCLUSION OF LAW

The conduct described above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0010(5) (*Use professional judgment*), 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 adopts and incorporates herein the above findings of fact and conclusions of law, and based thereon, imposes a Public Reprimand and a three (3) year period of probation.

Issued and dated this 14 day of October, 2022.

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

By 

Dr. Anthony Rosilez, Executive Director