

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION

2 OF THE STATE OF OREGON

3 In the Matter of the) STIPULATION OF FACTS AND
4 Educator License of) FINAL ORDER OF DENIAL OF
5 HAROLD V. PETERSEN) APPLICATION AND SIX MONTH
6) SUSPENSION OF RIGHT TO APPLY
7

8 On June 4, 2012, the Commission received an application for reinstatement of
9 the expired license of Harold Viby Petersen (Petersen). Discrepancies in Petersen's
10 application resulted in a referral to professional practices for an investigation to
11 determine if Petersen had violated professional standards.

12 After review of the matters alleged, Petersen and the Commission agree that their
13 respective interests, together with the public interest, are best served by a stipulation to
14 certain facts and the imposition of a denial of application and suspension of right to
15 apply.

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

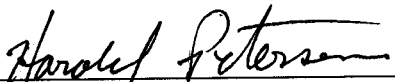
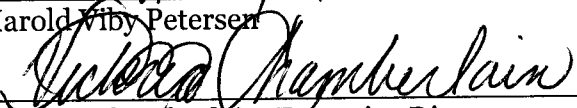
34 **STIPULATION OF FACTS**

- 35 1. Harold Viby Petersen has been licensed by the Commission since August 22, 1984
36 Petersen's Standard Teaching License, with endorsements in Standard Elementary (014),

1 Basic Technology Education (018) and Construction (024), was issued on November 3,
2 1997, and expired on June 6, 2003. Petersen did not submit an application for renewal
3 prior to the application submitted on June 4, 2012. Petersen is not currently employed by
4 any known Oregon School District.

- 5 2. A review of Petersen's application noted Petersen answered "No" to all the application's
6 character questions and signed and dated the form on May 29, 2012. Petersen answered
7 "No" to question number four (4), "Have you ever had any adverse action taken on a
8 professional certificate, license or charter school registration?"; and question number
9 six (6), "Have you every surrendered a professional license of any kind before its
10 expiration?", and question number seven (7), "Have you ever been disciplined by any
11 public agency responsible for licensure of any kind, including but not limited to
12 educational licensure?" The Commission discovered during the background check
13 portion of Petersen's application processes that Petersen's California teaching credential
14 was revoked in 1996 for failure to report to work after signing a contract.
- 15 3. Commission investigators questioned Petersen about the discrepancy. Petersen advised
16 that he had hurried through the application and as a result, failed to answer the
17 questions accurately. Petersen explained that his prior, 1995-1996, discipline by the
18 California Commission was a result of Petersen not returning to work after a layoff
19 period, which was a violation of his teaching contract. Petersen advised that he chose not
20 to fight the California discipline and "defaulted" during the process, resulting in his
21 California Credential being revoked. This was verified through documents from the
22 California Commission on Teacher Credentialing.

23 IT IS SO STIPULATED:

24		<u>May 15, 2013</u>
25		Date
26	Harold Viby Petersen	
27		<u>5-17-12</u>
28		Date
29	Victoria Chamberlain, Executive Director	
30	Teacher Standards and Practices Commission	

31 **CONCLUSION OF LAW**

32 Harold Viby Petersen falsely answered the character questions in his application
33 to the Commission for reinstatement. This conduct constitutes gross neglect of duty in

1 violation of ORS 342.175 (1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-
2 020-0010(5) (*Use professional judgment*); and OAR 584-020-0040(4)(c) (*Knowing*
3 *falsification of any document or knowing misrepresentation directly related to*
4 *licensure, employment, or professional duties*). This conduct also constitutes a violation
5 of ORS 342.175(1)(e); OAR 584-050-0006(3)(a), (*Notice of denial and right to a*
6 *hearing may be issued by the Executive Director when any of the following conditions*
7 *exist: The applicant submits a falsified application*).

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

10 **ORDER**

11 The Commission adopts and incorporates herein the above findings of fact and
12 conclusions of law, and based thereon, denies Harold Viby Petersen's application for
13 reinstatement and imposes a six month suspension of his right to apply for a license to
14 begin following the adoption of this order.

15 Issued and dated this 26th day of July, 2013.

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

18 By 
19 Victoria Chamberlain, Executive Director
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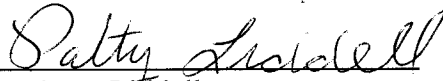
CERTIFICATE OF MAILING

I HEREBY CERTIFY that I served the foregoing Stipulation of Facts and Final Order of Denial of Application and Six Month Suspension of Right to Apply, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail – Return Receipt Requested, addressed to:

Harold V. Petersen
1500 Main St., Apt 11
Springfield, OR 97477-4924

DATED this 9th day of August, 2013.

By:



Patty Liddell
Investigative Assistant