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

In the Matter of the ) STIPULATION OF FACTS  
Teaching License of ) FINAL ORDER OF  
HARRY E. NELSON ) SUSPENSION OF RIGHT TO APPLY

On November 13, 2007, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing charging Mr. Nelson with Gross Neglect of Duty. The Commission issues an Amended Notice on December 17, 2009 and a Second Amended Notice on January 28, 2010.

After review of the matters alleged, Mr. Nelson 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 six-month suspension of right to apply for a license.


By signing below, Mr. Nelson 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, Final Order of 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 Mr. Nelson 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 his 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

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

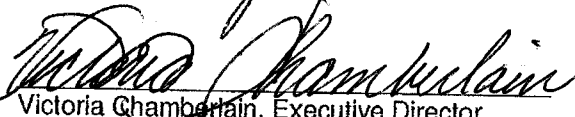
3 **STIPULATION OF FACTS**

- 4 1. The Commission has licensed Mr. Nelson since September 29, 2004. Mr. Nelson  
5 Nelson's Initial I Teaching License expired on April 17, 2010.
- 6 2. On May 17, 2007, Mr. Nelson was arrested by the Polk County Sheriff's Office on a  
7 charge of Public Indecency under ORS 163.465. A conviction for Public Indecency  
8 requires the Commission to revoke a teaching license under ORS 342.143(3).
- 9 3. On September 4, 2007, Mr. Nelson pled guilty to one count of Public Indecency resulting  
10 from him exposing his genitals to an undercover police officer. As part of his plea, Mr.  
11 Nelson entered into a deferred sentencing agreement under ORS 137.533 and was  
12 placed on probation. A judgment of conviction was not entered.
- 13 4. After completing the conditions of the deferred sentencing agreement, Mr. Nelson  
14 requested, and the Court granted, a dismissal of the criminal case with prejudice.  
15 Subsequently, Mr. Nelson's arrest record was set aside and the arrest records sealed.

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17 IT IS SO STIPULATED:

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19  
20 Harry Nelson

6-29-10  
Date

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23 Victoria Chamberlain, Executive Director  
24 Teacher Standards and Practices Commission

7-30-10  
Date

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**CONCLUSION OF LAW**

1. Mr. Nelson's conduct described in above demonstrated that Mr. Nelson lacks good moral character that is required for holding a teaching license under ORS 342.143(2), and constituted gross neglect of duty in violation of ORS 342,175(1)(b); OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(3)(a) (Maintain the dignity of the profession by obeying the law, exemplifying personal integrity and honesty)

**ORDER**

Based on the foregoing, and in consideration of the fact that Mr. Nelson completed the conditions of probation imposed by the Court resulting in dismissal of the criminal case, the Commission hereby orders that Mr Nelson's right to apply for teaching license is suspended for six months from the date of this order.

It is So Ordered: *August 9, 2010*

TEACHER STANDARDS AND PRACTICES COMMISSION

By: *Victoria Chamberlain*  
Victoria Chamberlain, Executive Director