## 1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON 3 In the Matter of the STIPULATION OF FACTS, Licensure of SURRENDER AND FINAL ) 5 SCOTT FRANKLIN NELSON ORDER OF REVOCATION 6 On or about September 11, 2006, the Teacher Standards and Practices Commission 7 (Commission) received a report from Pat Bedore, Superintendent, Greater Albany Public School 8 District, indicating that Scott Franklin Nelson (Nelson) accessed inappropriate web sites utilizing 9 district equipment. 10 After review of the matters alleged, Mr. Nelson and the Commission agree that their 11 respective interests, together with the public interest, are best served by a stipulation to certain 12 facts, the acceptance of Mr. Nelson's offer to surrender his teaching license, and the revocation 13 of licensure. 14 This document sets forth the facts upon which the parties have agreed and the 15 stipulated sanction to be imposed. Mr. Nelson stipulates that there is sufficient evidence in the 16 Commission's files and records to support the findings of fact, conclusions of law, and order set 17 forth below. 18 By signing below, Mr. Nelson acknowledges, understands, stipulates, and agrees to the 19 following: (i) he has been fully advised of his rights to notice and a hearing to contest the 20 findings of fact, conclusions of law, and order set forth below, and fully and finally waives all 21 such rights and any rights to appeal or otherwise challenge this Stipulation of Facts, Order of 22 Surrender and Revocation (Stipulation and Final Order); (ii) this Stipulation and Final Order is a 23 public document and disclosed to the public upon request by the Commission; (iii) this 24 Stipulation and Final Order is contingent upon and subject to approval and adoption by the 25 Commission. If the Commission does not approve and adopt this Stipulation and Final Order, 26 then neither Mr. Nelson nor the Commission are bound by the terms herein; (iv) he has fully 27 read this Stipulation and Final Order, and understands it completely; (v) he voluntarily, without 28 any force or duress, enters into this Stipulation and Final Order and consents to issuance and

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- entry of the Stipulated Final Order below; (vi) he states that no promises or representation has 1
- been made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with 2
- an attorney regarding this Stipulation and Final Order and has been fully advised with regard to 3
- his rights thereto, or walves any and all rights to consult with an attorney prior to entering into 4
- this Stipulation and Final Order and issuance and entry of the Stipulated Final Order below. 5

## 6 STIPULATION OF FACTS

- 1. Mr. Nelson has been licensed by the Commission since August 24, 1998. Mr. Nelson 7
- holds a Standard Teaching License issued July 15, 2002, valid through March 5, 2008, with 8
- 9 Basic Mathematics and Standard Music Endorsements.
- 2. On July 17, 2000 the Commission imposed a 90 day suspension and two year 10
- probation upon Mr. Nelson's licensure for accessing inappropriate web sites. 11
- 3. On September 11, 2006, the Greater Albany School District reported that Mr. Nelson 12
- used district equipment to access inappropriate web sites. 13
- 4. Mr. Nelson fully cooperated with the Commission's investigation into this report and 14
- 15 voluntarily offered to surrender his teaching license.

16 IT IS SO STIPULATED AND AGREED TO:

17 18

19 20 Victoria Chamberlain, Executive Director

Teacher Standards and Practices Commission 21

Date Date

22 **CONCLUSIONS OF LAW** 

Scott Franklin Nelson used school district equipment to access inappropriate internet 23

content. This conduct constitutes Gross Neglect of Duty in violation of OAR 584-020-24

0040(4)(q). The Commission has the authority to impose discipline in this matter is based upon 25

26 ORS 342.120 through ORS 342.430 and OAR Chapter 584.

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Page 2 STIPULATION OF FACTS, SURRENDER AND FINAL ORDER OF REVOCATION- NELSON

1 **FINAL ORDER** 2 The Commission adopts and incorporates herein the above findings of fact and 3 conclusion of law, based thereon, hereby accepts the surrender of Mr. Nelson's teaching 4 license, and orders the revocation of the licensure of Scott Franklin Nelson. Issued and dated this \_\_\_\_\_day of February, 2008. 5 6 **TEACHER STANDARDS AND PRACTICES COMMISSION** STATE OF OREGON 8 9 Victoria Chamberlain, Executive Director 10 11 Approved as to form: 12 13 Elizabeth A. Joffe, OSB# 940243 14 Attorney for Scott Franklin Nelson [Accnt# 51355]