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

| In the Matter of the |) | STIPULATION OF FACTS, |
|----------------------|---|-----------------------|
| Teaching License of |) | SURRENDER AND |
| GARY LANE POWELL | j | ORDER OF REVOCATION |

On about April 30, 2005, the Teacher Standards and Practices Commission (Commission) received a copy of a newspaper article from The Register-Guard indicating that Gary Lane Powell (Powell) was arrested for Public Indecency for masturbating in a city park in Eugene, Oregon. On June 3, 2005, Adam Arms, Attorney at Law, wrote to the Commission on behalf of his client, Gary Lane Powell, to inform the Commission that Mr. Powell had been convicted for the crime of Public Indecency, ORS 163.465, in Lane County Circuit Court.

After review of the matters alleged, Mr. Powell and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts and surrender of his teaching license as per OAR 584-050-0027.

This Order sets forth the facts upon which the parties have agreed and the sanction to be imposed. Mr. Powell 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, Mr. Powell waives the right to a hearing to contest the finding of fact, conclusion of law and order set forth below. Mr. Powell understands that the Commission will revoke his teaching license.

This stipulation is contingent upon approval and adoption of the Order by the Commission. If the Commission does not adopt this Order, neither Mr. Powell nor the Commission are bound by these Stipulations and Mr. Powell retains all rights to a hearing on the allegations.

STIPULATION OF FACTS

Mr. Powell holds an Initial Teaching License valid August 11, 2003, through
 April 18, 2007, endorsed in Language Arts.

Page 1 STIPULATION OF FACTS, SURRENDER AND ORDER OF REVOCATION - POWELL

| _1 | 2. Mr. Powell served as a teacher for Eugene Public Schools at the Leonardo da Vinci | | |
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| 2 | Alternative School located at Kelly Middle School from August 27, 2003, to May 31, 2005. Mr. | | |
| 3 | Powell resigned his employment on May 31, 2005. | | |
| 4 | 3. On April 28, 2005, a Eugene Police Officer arrested Mr. Powell for Public Indecency | | |
| 5 | in Maury Jacobs Park. | | |
| 6 | 4. On June 2, 2005, Mr. Powell was convicted for Public Indecency, ORS 163.465, in | | |
| 7 | 7 Lane County Circuit Court. The Court sentenced Mr. Powell to 60 months probation. | | |
| 8 | IT IS SO STIPULATED: | | |
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| 10 11 | Gary Lang Powell Date | | |
| 12 13 (14 15 | Victoria Chamberlain, Executive Director Teacher Standards and Practices Commission | | |
| 5 | CONCLUSIONS OF LAW | | |
| 17 | Mr. Powell's conviction in Lane County Circuit Court for the crime of Public Indecency, | | |
| 18 | as defined in ORS 163.465, is listed in ORS 342.143(3). The Commission is required to revoke | | |
| 19 | the Oregon Initial Teaching License of Gary Lane Powell and revoke his right to apply for a | | |
| 20 | license pursuant to OAR 584-020-0040(1) and ORS 342.175(2). | | |
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ORDER The Commission accepts the surrender of Gary Lane Powell's Oregon Initial Teaching 3 License and hereby revokes said license together with his right to apply for a teaching license. 4 IT IS SO ORDERED this $\underline{''}$ day of August, 2005. 5 TEACHER STANDARDS AND PRACTICES COMMISSION ambelain Victoria Chamberlain, Executive Director 9 10 Approved as to form: 11 12 13 14 Adam S. Arms, OSB#01018 15 Attorney for Gary Lane Powell [061505]