



- 1 5) On or about March 10, 1995, Delaney violated OAR 584-020-0040(4)(l) when he spoke to  
2 school bus driver Beth Yantis in a loud and angry voice. The bus driver indicated that she  
3 felt Delaney was "telling her off" and undermining her authority. During a meeting on  
4 March 17, 1995, Delaney said that he was only trying to get her to let him do the discipline  
5 because he felt he could be more effective than she with the boys.  
6
- 7 6) In October of 1996, Delaney violated OAR 584-020-0040(4)(f) when he made comments to  
8 RH suggesting that her backside was her better side. On November 6, 1996, Dr. and Mrs.  
9 Hale issued a written complaint addressed to Vice Principal Terry Kenfield, alleging that  
10 Delaney's comments in this incident and prior behavior toward their daughter, a student at  
11 Ponderosa Junior High School, constituted sexual harassment. The Hales' requested their  
12 daughter be transferred to another section of Health.  
13
- 14 7) On or about January 28, 1998, Delaney violated OAR 584-020-0040(4)(f) when he directed  
15 JD to remove his clothing (his wrestling singlet and wrestling gear) on the bus in front of  
16 other female and male students.  
17
- 18 8) On or about February 2, 1998, Delaney violated OAR 584-020-0040(4)(d) when he exhibited  
19 unreasonable physical force against Joe Tacchini, a fellow employee, in the wrestling room  
20 of Ponderosa Junior High School. On February 17, 1998, Delaney was placed on  
21 administrative leave as a result of the incident. Delaney was not returned to the classroom.  
22 On March 20, 1998, Delaney resigned by Agreement in lieu of termination effective June 12,  
23 1998.  
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26 CONCLUSIONS OF LAW  
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28 Mr. Delaney's actions constitute gross neglect of duty in violation of OAR 584-020-0040(4)(d),  
29 (f) and (l) for using unreasonable physical force against a fellow employee, sexual conduct with  
30 a student and sexual harassment. By committing an act listed in OAR 584-020-0040(1), Mr.  
31 Delaney's actions constitute gross unfitness as per OAR 584-020-0040(5)(d).  
32

33  
34 OPINION  
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36 Mr. Delaney's contact with students was the result of his position as a teacher. His conduct  
37 violated professional ethics of licensed educators.  
38

1  
2 ORDER

3  
4 The Commission revokes the Oregon Teaching License #231206, issued to Henry L. Delaney,  
5 for gross neglect of duty and gross unfitness.  
6

7 Dated this 28<sup>th</sup> day of Sept 2000.  
8  
9

10 TEACHER STANDARDS AND PRACTICES COMMISSION

11  
12 By:   
13  
14 David V. Myton, Executive Director  
15  
16

17 NOTICE OF APPEAL OR RIGHTS

18  
19 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW  
20 MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM  
21 THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE  
22 PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.  
23

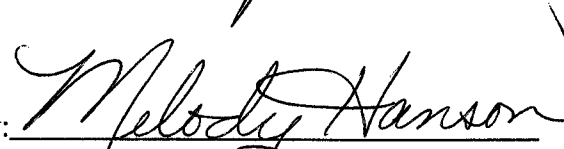
24 DVM/mgh  
25  
26

27 CERTIFICATE OF MAILING

28  
29 I hereby certify that I served the foregoing order by mailing a true copy thereof certified by me  
30 as such by regular U.S. mail and by U.S. Certified Mail with Return Receipt Requested to:

31  
32 Henry L. Delaney  
33 PO Box 917  
34 Chiloquin OR 97624  
35

36 Dated this 29<sup>th</sup> day of September 2000.  
37  
38

39 By:   
40  
41 Melody Hanson  
42 Executive Assistant to the Commission  
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