

In the Matter of the)
Basic Teaching License of) DEFAULT ORDER
HENRY LANDRY DELANEY, JR.) REVOKING LICENSE

"You, Henry Landry Delaney, Jr., are entitled to a hearing on the proposed revocation of your Basic Teaching license. If you desire a hearing, you must notify the Executive Director of the Commission, in writing, within 21 days of the date of this notice."

FINDINGS OF FACT

- PAGE 1—DEFAULT ORDER—HENRY LANDRY DELANEY, JR.

- 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.
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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.
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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.
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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).
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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.
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ORDER

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

Dated this 28th day of Sept 2000.

TEACHER STANDARDS AND PRACTICES COMMISSION

By: David V. Myton
David V. Myton, Executive Director

NOTICE OF APPEAL OR RIGHTS

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

DVM/mgh

CERTIFICATE OF MAILING

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



Dated this 29th day of September 2000.

By: Melody Hanson
Melody Hanson
Executive Assistant to the Commission