1	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION		
2	OF THE STATE OF OREGON		
3		4	
4	In the Matter of the)	
5	Basic Teaching License of) DEFAULT ORDER	
6	HENRY LANDRY DELANEY, JR.) REVOKING LICENSE	
7	· · · · · · · · · · · · · · · · · · ·)	
8		,	
9	On July 17, 2000, the Teacher Standards a	nd Practices Commission issued a Notice of	
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11		Henry Delaney or otherwise impose discipline under	
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13	•		
14		not been returned. The Notice of Opportunity for	
15	· · · · · · · · · · · · · · · · · · ·		
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17	"You, Henry Landry Delaney, Jr., a	re entitled to a hearing on the proposed	
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19	notify the Executive Director of the Commission, in writing, within 21 days of the		
20	date of this notice."	<i>5,</i>	
21			
2	Based on the foregoing, the Commission fi	nds Mr. Delaney in default and such default is	
23	hereby entered. Based on the records and t	*	
24	enters the following findings of fact and or	· · · · · · · · · · · · · · · · · · ·	
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27	FIND	INGS OF FACT	
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29	1) On or about March 15, 1998, Delaney	violated OAR 584-020-0040(4)(1) when he directed	
30	students to deliver inappropriate printed	l material as a practical joke to a male and two female	
31	teachers during school hours.		
32			
3	2) During the 1992-93 school year, Delan-	ey violated OAR 584-020-0040(4)(f) and (5)(d) by	
34	sexually abusing DM, an eighth grade s	tudent.	
35			
6	3) On or about February 28, 1994, Delane	y violated OAR 584-020-0040(4)(f) by using	
37	inappropriate comments such as "slut" in front of junior high male students following a		
8	conversation about a junior high female	e student.	
9	, ,		
10	4) On or about January 11, 1995, Delaney	violated OAR 584-020-0040(4)(d) when he	
1	confronted a teacher, Kelly Reynolds, i	n the Library at Ponderosa Middle School in an	
2	aggressive intimidating and threatening		

5) On or about March 10, 1995, Delaney violated OAR 584-020-0040(4)(1) when he spoke to school bus driver Beth Yantis in a loud and angry voice. The bus driver indicated that she felt Delaney was "telling her off" and undermining her authority. During a meeting on March 17, 1995, Delaney said that he was only trying to get her to let him do the discipline because he felt he could be more effective than she with the boys.

- 6) In October of 1996, Delaney violated OAR 584-020-0040(4)(f) when he made comments to RH suggesting that her backside was her better side. On November 6, 1996, Dr. and Mrs. Hale issued a written complaint addressed to Vice Principal Terry Kenfield, alleging that Delaney's comments in this incident and prior behavior toward their daughter, a student at Ponderosa Junior High School, constituted sexual harassment. The Hales' requested their daughter be transferred to another section of Health.
- 7) On or about January 28, 1998, Delaney violated OAR 584-020-0040(4)(f) when he directed JD to remove his clothing (his wrestling singlet and wrestling gear) on the bus in front of other female and male students.
- 8) On or about February 2, 1998, Delaney violated OAR 584-020-0040(4)(d) when he exhibited unreasonable physical force against Joe Tacchini, a fellow employee, in the wrestling room of Ponderosa Junior High School. On February 17, 1998, Delaney was placed on administrative leave as a result of the incident. Delaney was not returned to the classroom. On March 20, 1998, Delaney resigned by Agreement in lieu of termination effective June 12, 1998.

CONCLUSIONS OF LAW

Mr. Delaney's actions constitute gross neglect of duty in violation of OAR 584-020-0040(4)(d), (f) and (l) for using unreasonable physical force against a fellow employee, sexual conduct with a student and sexual harassment. By committing an act listed in OAR 584-020-0040(1), Mr. Delaney's actions constitute gross unfitness as per OAR 584-020-0040(5)(d).

OPINION

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

2	ORDER	
3 4	The Commission revokes the Oregon Teaching License #231206, issued to Henry L. Delaney, for gross neglect of duty and gross unfitness.	
5 6	for gross neglect of duty and gross unfitness.	
7	Dated this 28th day of Left 2000.	
9	Dated this day of 2000.	
10	TEACHER STANDARDS AND PRACTICES COMMISSION	
11	\wedge . 4	
12 13	By: David V. Myton, Executive Director	
14	By:	
15	David V. Myton, Executive Director	
16		
17	NOTICE OF APPEAL OR RIGHTS	
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19		
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	
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26		
27	CERTIFICATE OF MAILING	
28		
29 30	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:	
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34		
35	<u> </u>	
36	29th X + las	
37	Dated this day of september 2000.	
38		
39		
40		
4 1	By: / felody / Various	
4 2	Melody Hanson	
4 3	Executive Assistant to the Commission	