

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

3 In the Matter of the) STIPULATION OF FACTS,
 4 Teaching License of) ORDER OF SUSPENSION
 5 NATHAN POWELL PARKER) AND PROBATION

6 On or about November 13, 2003, the Teacher Standards and Practices
 7 Commission (Commission) received a report from R. Michael Carter, Superintendent,
 8 Rainier School District, indicating that Nathan Powell Parker (Parker) used his school
 9 computer to access sexually explicit material on the Internet.

10 Mr. Parker fully cooperated with the Commission's investigation. After review of
 11 the matters alleged, Mr. Parker and the Commission agree that their respective
 12 interests, together with the public interest, are best served by a stipulation to certain
 13 facts and the imposition of a ninety (90) day suspension of licensure followed by a
 14 period of probation upon reinstatement.

15 This Order sets forth the facts upon which the parties have agreed and the
 16 sanction to be imposed. Mr. Parker stipulates that there are sufficient facts contained in
 17 the Commission's files and records to support the findings of fact and conclusions of law
 18 set forth below. In entering into this stipulation, Mr. Parker waives the right to a hearing
 19 to contest the findings of fact, conclusions of law and order set forth below.

20 Mr. Parker understands that the probation will be subject to specific conditions.

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

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STIPULATION OF FACTS

2 1. Mr. Parker holds a Standard Teaching License issued October 24, 2002, valid
3 through October 16, 2007, with a Standard Music Endorsement.

4 2. Mr. Parker was employed by the Rainier School District beginning in June
5 1999 until resignation in lieu of termination effective November 19, 2003.

6 3. A District-owned computer with Internet access was present in Mr. Parker's
7 office for his use in connection with his assigned responsibilities. The District has a
8 clearly defined, acceptable use policy. The District's policy prohibits the use or
9 attempted use of equipment for Internet access of sexually explicit materials.

10 4. Mr. Parker used his classroom computer on multiple occasions to access
11 sexually explicit materials through the District's Internet connection in violation of District
12 policy regarding Internet use during non-student contact hours.

13 5. On or about October 16, 2003, Nathan Parker distributed an article to two
14 staff members at Rainier High School that he downloaded from the Internet and copied
15 on school equipment. A staff member reported that article was inappropriate and
16 offensive.

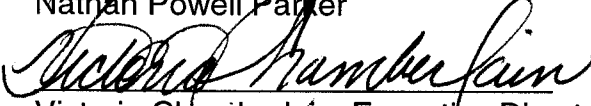
17 6. Mr. Parker completed boundaries training conducted by attorneys with the
18 firm of McKanna Bishop Joffe and Sullivan.

19 7. Mr. Parker admits that he should not have used the District computer for
20 viewing sexually explicit materials and has expressed remorse for doing so and wants
21 to assure the Commission that he will not engage in any such activity in the future.

22 IT IS SO STIPULATED:

23 
24 _____
Nathan Powell Parker

12/30/03
Date

25 
26 _____
Victoria Chamberlain, Executive Director
27 Teacher Standards and Practices Commission

12-30-03
Date

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ULTIMATE FINDING OF FACT

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Nathan Powell Parker used the computer equipment owned by his employer,

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Rainier School District, located on school premises, to access sexually explicit

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materials. Mr. Parker was fully aware that accessing such materials at the workplace

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using a District owned computer was inappropriate.

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CONCLUSION OF LAW

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Nathan Powell Parker's inappropriate use of a District computer constitutes

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Gross Neglect of Duty in violation of OAR 584-020-0040(4)(q). The Commission's

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authority to impose discipline in this matter is based upon ORS 342.175.

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1 **ORDER**

2 Nathan Powell Parker's Standard Teaching License is suspended for a period of
3 ninety (90) days effective on January 10, 2004. At the end of this suspension period,
4 Mr. Parker's Standard Teaching License will be reinstated upon:

- 5 1. Submission of a complete application and fees pursuant to OAR 584-050-
6 0015(3); and
- 7 2. Submission of documentation that he has undergone an evaluation by a
8 psychotherapist or medical professional acceptable to the Commission, and the
9 evaluator submits a written report to the Commission attesting (a) Mr. Parker is fit to
10 work with children and teenagers, and (b) there is a high probability he will not use
11 school district equipment to access sexually explicit materials or engage in similar
12 inappropriate behavior. Any costs associated with the assessment or treatment will be
13 the responsibility of Mr. Parker.

14 Upon the reinstatement of licensure, Mr. Parker shall be placed on probation by
15 the Commission for a period of two (2) years, subject to the following conditions:


- 16 1. Mr. Parker shall substantially comply with any treatment or counseling as
17 recommended by the individual who completed the evaluation described above.
18 Mr. Parker shall authorize and sign any consent forms as necessary for the treatment
19 provider or counselor to furnish records to or discuss Mr. Parker's treatment with the
20 Commission.
- 21 2. Mr. Parker shall comply with all Standards for Competent and Ethical
22 Performance of Oregon Educators under Oregon Administrative Rules, Chapter 584,
23 Division 020.
- 24 3. Mr. Parker shall provide information as requested by the Commission to verify
25 that he has complied with the conditions of probation, including a statement from a

1 future employing district that he has complied with the Standards for Competent and
2 Ethical Performance of Oregon Educators.

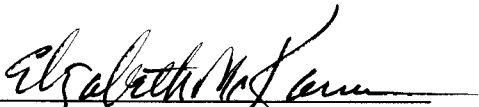
3 Violation of the terms of this probation may constitute an independent basis for
4 the Commission to impose discipline, up to and including revocation of Mr. Parker's
5 teaching license subject to Mr. Parker's right to a hearing on the issue of whether he
6 violated probation.

7 IT IS SO ORDERED this 15th day of January 2004.

8 TEACHER STANDARDS AND PRACTICES COMMISSION

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10 By: 
11 Victoria Chamberlain, Executive Director

12 APPROVED AS TO FORM

13
14 
15 Elizabeth McKanna OSB# 89306
16 Attorney for Nathan Powell Parker

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