

1 BEFORE THE TEACHERS AND STANDARDS AND PRACTICES COMMISSION
2 OF THE STATE OF OREGON
3

4 In the Matter of the Application for) STIPULATION OF FACTS
5 Teaching License of) AND ORDER
6 KELLY LYNN HELTERBRAN) OF PROBATION
7)

8
9 On November 24, 1997, Kelly Lynn Helterbran applied for an Oregon Teaching License
10 based upon completion of a teacher education program at Northwest Nazarene College
11 in March 1995. In the application, Ms. Helterbran disclosed that she had been
12 convicted on a plea of "no contest" for Theft II in Washington County District Court
13 (Class A Misdemeanor). The Executive Director denied her application for licensure
14 based upon the conviction for Theft II and informed Ms. Helterbran of her opportunity
15 for hearing on the denial. Kelly Helterbran requested a hearing on the allegations, but
16 before a hearing date was set, the parties have agreed that their respective interests
17 and the interests of the State are best served by a Stipulation of Facts and Order of
18 Probation as set forth below.

19 STIPULATON OF FACTS
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- 21 1. Kelly Lynn Helterbran completed a teacher education program at Northwest
22 Nazarene College in March 1995. She was recommended by the college for an
23 elementary endorsement.
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- 25 2. On or about March 29, 1997, Hilterbran unlawfully and knowingly committed
26 theft of merchandise of a total value of \$50 or more but under \$750, property of
27 Fred Meyer, Inc. A misdemeanor complaint was issued by Deputy Assistant
28 Attorney for Washington County, Darryl D. Walker, on April 4, 1997.
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- 30 3. Helterbran plead "no contest" to the charge of Theft II and was sentenced to
31 fines, community service and attendance at "Theft Talk." Helterbran has met
32 the conditions imposed by the court.
33
- 34 4. Helterbran stated in her explanation of the arrest and conviction, "I have
35 learned from this experience and know what I did was immoral and am
36 ashamed. However, I realize I can move on and continue to learn from the
37 incident."
38

39 In entering this Stipulation, Kelly Lynn Helterbran understands that the Commission
40 will place her on probation for a period of two years from the date of the Order. This
41 Stipulation and Proposed Order are contingent upon approval by the full Commission.
42 It is understood that the statements contained in this Stipulation may not be used by
43 either party for any reason if the Commission fails to approve this Stipulation and
44 Proposed Order.
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1 IT IS SO STIPULATED:
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3

4 Kelly L. Helterbran
5 Kelly Lynn Helterbran
6

4-25-98
Date

7
8 David V. Myton
9 David V. Myton, Executive Director
10
11 Teacher Standards and Practices Commission
12

4/2/98
Date

13
14 OPINION

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16 By committing the act of Misdemeanor Theft, Kelly Lynn Helterbran raised serious
17 concerns about her fitness to serve as an educator. Parents and the public expect
18 educators to serve as good role models as law-abiding citizens. The Commission
19 concludes that a comparatively lenient sanction is appropriate in this case because
20 the applicant has no other convictions and has met the requirements of the court
21 imposed judgment for the Class A Misdemeanor.
22

23 ULTIMATE FINDINGS OF FACT

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25 On April 11, 1997, Kelly Lynn Helterbran plead "no contest" to the charge of Theft II (a
26 Class A Misdemeanor).
27

28 CONCLUSIONS OF LAW

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30 ORS 342.143 authorizes the Teacher Standards and Practices Commission to deny a
31 license when an educator is convicted for a crime. ORS 670.280 requires the
32 Commission to consider the relationship of the conviction to fitness to serve as an
33 educator.
34

35 ORDER

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37 The Commission authorizes the issuance of a Basic Teaching License with an
38 elementary endorsement to Kelly Lynn Helterbran if she is otherwise qualified, and
39 shall place her on probation for a period of two years from the date of this Order for
40 conviction of Theft II on April 11, 1997. During this period of probation Helterbran
41 shall conduct herself as a law abiding citizen.
42

43
44 Dated this 19th day of May, 1998

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46 TEACHER STANDARDS AND PRACTICES COMMISSION

47
48 By David V. Myton
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50 David V. Myton, Executive Director

51 DVM/cs
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CERTIFICATE OF MAILING

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

Kelly Lynn Helterbran
9301 SW Sagert Street #222
Tualatin, OR 97062

Dated this 19th day of May, 1998

By Charlene A. Smith
Charlene A. Smith
Executive Assistant to the Commission