

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

4 In the Matter of the Educator) DEFAULT ORDER OF
5 License of) PUBLIC REPRIMAND
6 MARK HARRIS ERICKSON)
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9 On February 29, 2016, the Teacher Standards and Practices Commission
10 (Commission) issued a Notice of Opportunity for Hearing to Mark Harris Erickson
11 (Erickson) in which the Commission charged him with Gross Neglect of Duty. The Notice
12 was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7015 0640 0004 7539 8155
13 to the address on file with the Commission. The Notice designated the Commission file as
14 the record for purposes of proving a prima facie case. The Certified Mail receipt was
15 returned to the Commission “signed” on March 9, 2016. The first class mail was not
16 returned to the Commission. The Notice of Opportunity of Hearing, dated February 29,
17 2016, and signed by Victoria Chamberlain, Executive Director, stated:

18 “IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY
19 PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED
20 UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR
21 REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF YOU
22 FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER
23 OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF
24 YOUR LICENSE OR OTHER DISCIPLINE.”
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26 Erickson did not request a hearing. The Commission, therefore, finds Erickson to be in
27 default and enters the following findings of fact, conclusions of law, and final order, based
28 on the files and records of the Commission concerning this matter.

29 **FINDINGS OF FACT**

- 30 1. Erickson has been licensed by the Commission since July 11, 1974. Erickson holds a
31 Standard Teaching License, with endorsements in Basic Elementary (014) and
32 Standard Exceptional Learner I (018), valid from September 29, 2013, through
33 September 28, 2018. During all relevant times, Erickson was employed by the
34 Astoria School District.
- 35 2. On June 18, 2014, the Commission received a report from the Astoria School District
36 indicating Erickson may have violated professional standards. On June 2, 2014, a
37 sexual assault occurred on campus between two minor aged special education

1 students. Both the victim and the suspect attended Erickson's classroom. Shortly
2 after the incident, Erickson, at different times, shared details of the event, including
3 the involved students' identities, with multiple instructional assistants. Several of
4 these assistants advised that Erickson shared this information in a public setting
5 where Erickson's comments and confidential information could be easily overheard.
6 Investigation determined that Erickson also shared details of the incident, including
7 the involved students' identities with his entire classroom. Erickson told
8 investigators that at the time, he thought the information was a learning
9 opportunity, but now Erickson realizes some of the information he shared was
10 confidential. On June 16, 2014, the school district issued Erickson a letter of
11 reprimand that included four days off without pay for his actions.

12 CONCLUSIONS OF LAW

13 Mark Harris Erickson engaged in unprofessional conduct as described above. This
14 conduct constitutes Gross Neglect of Duty in violation of ORS 342.175(1)(b); OAR 584-020-
15 0040(4)(n) as it incorporates OAR 584-020-0010(1) (*Recognize the worth and dignity of*
16 *all persons and respect for each individual*), OAR 584-020-0010(5) (*Use professional*
17 *judgment*), OAR 584-020-0025(2)(e) (*Using district lawful and reasonable rules and*
18 *regulations*), OAR 584-020-0030(2)(b) (*Skill in communicating with administrators,*
19 *students, staff, parents, and other patrons*); and (OAR 584-020-0040(4)(o) as is
20 incorporates OAR 584-020-0035(1)(a) (*Keep the confidence entrusted in the profession as*
21 *it relates to confidential information concerning a student and the student's family*).

22
23 The Commission's authority to impose discipline in this matter is based upon ORS
24 342.175.

25 FINAL ORDER

26 The Commission hereby issues a Public Reprimand upon Mark Harris Erickson's
27 Oregon Educator License.
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IT IS SO ORDERED THIS 23rd day of May, 2016.

TEACHER STANDARDS AND PRACTICES COMMISSION



By: _____
Victoria Chamberlain, 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.

CERTIFICATE OF MAILING

I hereby certify that I served the foregoing notice of final order, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

Mark Harris Erickson
930 Gara Place
Astoria, OR 97103-5720

Dated this 23rd day of May, 2016.

By: Patty Sheldon
Patty Sheldon
Investigative Assistant