

1 thereto, or waives any and all rights to consult with an attorney prior to entering into this
2 Stipulation and Final Order and issuance and entry of the Stipulated Final Order below.

3 **STIPULATION OF FACTS**

4 1. The Commission has licensed Mr. Hartenstein since July 7, 2004. Mr. Hartenstein
5 currently holds an Initial I Teaching license with an endorsement in High School and Middle
6 Level Language Arts and Middle Level Multiple Subjects, valid from November 11, 2007 to
7 November 10, 2010.

8 2. During all relevant times, Mr. Hartenstein was employed by the Beaverton School
9 District as a high school teacher.

10 3. During the weekend of November 28 to 30, 2008, Mr. Hartenstein met with a 17 year old
11 female student, JDO, alone and off campus on three separate occasions. On one of these occasions
12 JDO rode in his personal vehicle without parental permission.

13 4. On or about December 2, 2008, Mr. Hartenstein informed his principal that his wife
14 had intercepted a letter he had written to JDO. Mr. Hartenstein admitted that it contained
15 graphic language and was written in a style one would use to write to an adult friend, but the
16 letter was never delivered to JDO. Mr. Hartenstein also admitted that he had developed a
17 friendship with JDO outside the scope of the student-teacher relationship, and that he had, on
18 several occasions, discussed personal relationship issues with her.

19 **IT IS SO STIPULATED AND AGREED TO:**

20 Brian Hartenstein
21 Brian Hartenstein

7/10/2010
Date

22 Victoria Chamberlain
23 Victoria Chamberlain, Executive Director
24 Teacher Standards and Practices Commission
25

7-28-10
Date

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CONCLUSIONS OF LAW

Mr. Hartenstein's conduct described in paragraphs 3 and 4 above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(1)(c)(A) and (D) (expressing professionally inappropriate interest in a student's personal life; not honoring appropriate adult boundaries with students in conduct and conversations at all time).

The Commission has the authority to impose discipline in this matter under ORS 342.120 through 342.430 and OAR Chapter 584.

FINAL ORDER

The Commission adopts and incorporates the above findings of facts and conclusions of law, and based thereon, hereby revokes the Initial I Teaching License of Brian Hartenstein. One year from the date of this agreement, Mr. Hartenstein may apply to the Commission for reinstatement of his license, subject to the following conditions:

- a. Mr. Hartenstein will complete boundary training by a provider subject to Commission approval.
- b. Mr. Hartenstein will provide proof of completion of the boundaries training as part of his petition for reinstatement.
- c. Reinstatement of Mr. Hartenstein's license will be subject to Commission approval.

Issued and dated this 9th day of August, 2010.

**TEACHER STANDARDS AND PRACTICES COMMISSION
STATE OF OREGON**

By Victoria Chamberlain
Victoria Chamberlain, Executive Director