BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 1 2 OF THE STATE OF OREGON 3 In the Matter of the STIPULATION OF FACTS. 4 Teaching License of ORDER OF SUSPENSION 5 JOHN VINCENT HARDEN AND PROBATION 6 7 On or about September 24, 2001, the Teacher Standards and Practices 8 Commission (Commission) received a report from Albert J. Butler, Superintendent, Vale 9 School District indicating that John Vincent Harden, a licensed educator, may have 10 violated Standards by providing alcohol to minors. 11 Mr. Harden fully cooperated with the Commission's investigation. After review of 12 the matters alleged, Mr. Harden and the Commission agree that their respective 13 interests, together with the public interest, are best served by a stipulation to certain 114 facts and a suspension of his right to apply for a teaching license. This Order sets forth 15 the facts upon which the parties have agreed and the sanction to be imposed. In 16 entering into this stipulation, Mr. Harden waives the right to a hearing to contest the 17 findings of fact, conclusion of law and order set forth below. Mr. Harden understands 18 that the Commission will suspend his right to apply for a teaching license for a period of 19 one year. Mr. Harden understands that reinstatement of his teaching license after the 20 one year period of suspension of his right to apply will be subject to specific conditions 21 and a subsequent two (2) year period of probation. 22 This stipulation is contingent upon approval and adoption of the Order by the 23 Commission. If the Commission does not adopt this Order, neither Mr. Harden nor the 24 Commission are bound by these Stipulations and Mr. Harden retains all rights to a 25 hearing on the allegations.

1	STIPULATION OF FACTS
2	1. Mr. Harden's Basic Oregon Teaching License expired on November 2, 2001.
3	2. Mr. Harden was employed by Vale School District as a middle school teacher
4	from August 1996 to October 10, 2001.
5	3. Mr. Harden admits that between June 9, 2001, and August 31, 2001, he
6	furnished alcohol to three students on three separate occasions.
7	4. Mr. Harden and the Commission acknowledge that criminal charges for
8	providing liquor to persons under 21 years of age are pending in Malheur County Circuit
9	Court.
10	5. Mr. Harden accepts responsibility for his behavior and acknowledges his
11	behavior was inappropriate.
12	IT IS SO STIPULATED:
13 14 15	John Vincent Harden 10/22/01 Date
16 17 18 19	Date Date Date 0 0 0 David V. Myton, Executive Director Teacher Standards and Practices Commission
20	CONCLUSIONS OF LAW
21	Mr. Harden violated Standards of Gross Neglect of Duty OAR 584-020-0040(4);
22	and Gross Unfitness OAR 584-020-0040(5)(e) by furnishing alcohol to three minor
23	students on three separate occasions.
24	ORDER
25	The Commission suspends John Vincent Harden's right to apply for an Oregon
26	Teaching License effective November 16, 2001, for a period of one year. At the end of

1 ORDER

The Commission suspends John Vincent Harden's right to apply for an Oregon Teaching License effective November 16, 2001, for a period of one year. At the end of this suspension period, Mr. Harden's Teaching License shall be reinstated providing he meets the following conditions:

- 1. Mr. Harden shall a complete application as per OAR 584-050-0015(3) with required supporting documentation and fees.
- 2. Mr. Harden shall, at his own expense, seek the assistance of a qualified counselor approved in advance by the commission, regarding appropriate professional boundaries. Such counseling shall include at least eight (8) one-hour sessions.

 Mr. Harden will provide the counselor with a copy of this Order and the District's report to the Commission. The counselor will provide the Commission with a report of successful program completion.
- 3. Documentation that he has undergone an evaluation by a psychotherapist or medical professional acceptable to the Commission. The evaluator shall submit a written report to the Commission attesting (1) Mr. Harden is fit to work with children and teenagers, and (2) there is a high probability he will not engage in similar inappropriate behavior. Any costs associated with the assessment or treatment will be the responsibility of Mr. Harden.

Upon reinstatement of his teaching license, Mr. Harden shall be placed on probation for a period of two (2) years and subject to the condition that he comply with all Standards for Competent and Ethical Performance under Chapter OAR 584, Division 020.

)	violation of the terms of this probation may constitute an independent basis for
2	the Commission to impose discipline, up to and including revocation of Mr. Harden's
3	teaching license subject Mr. Harden's right to a hearing on the issue of whether he
4	violated probation.
5	Dated this 16th day of November 2001
6	TEACHER STANDARDS AND PRACTICES COMMISSION
7	
8 9	By: David V. Myton, Executive Director
10	Approved as to form:
11	(Ω)
12	
13	Ralph Wiser, OSB #81423
14	Attorney for John Vincent Harden