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STIPULATION OF FACTS

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1. Mr. Buckendahl holds a Basic Teaching License most recently issued October 14, 2002, valid through June 22, 2006.

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2. Mr. Buckendahl is employed by the Beaverton School District as a teacher at Barnes Elementary School.

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3. Mr. Buckendahl attempted to use his classroom computer on October 17, 2002, to access sexually explicit materials through the District's Internet connection in violation of District policy regarding Internet use. The District filter program blocked his activities.

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4. On October 17, 2002, the District issued a Letter of Reprimand to Mr. Buckendahl for inappropriate email correspondence with students, giving gifts, sending notes and cards to students, and inappropriate physical contact with former Barnes Elementary students currently participating in a Future Teachers program.

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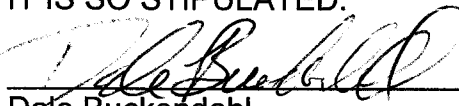
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IT IS SO STIPULATED:

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Date Buckendahl

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7-5-03
Date

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Victoria Chamberlain, Executive Director
Teacher Standards and Practices Commission

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6-12-03
Date

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CONCLUSIONS OF LAW

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Dale Buckendahl's inappropriate use of a district computer constitutes Gross Neglect of Duty in violation of OAR 584-020-0040(4)(q). Dale Buckendahl's conduct towards students at Barnes Elementary School violated OAR 584-020-0040(4)(f), by creating an intimidating, hostile, and offensive educational environment. The

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

1 2. Mr. Buckendahl shall sign a consent form authorizing the Commission to
2 request, and the treatment provider or counselor to provide, a written summary report,
3 as necessary, verifying Mr. Buckendahl's continued compliance with treatment
4 requirements.

5 3. Mr. Buckendahl shall comply with all Standards for Competent and Ethical
6 Performance of Oregon Educators under Oregon Administrative Rules, Chapter 584,
7 Division 020.

8 4. Mr. Buckendahl shall provide information as requested by the Commission to
9 verify that he has complied with the conditions of probation, including a statement from
10 a future employing district that he has complied with the Standards for Competent and
11 Ethical Performance of Oregon Educators.


12 Violation of the terms of this probation may constitute an independent basis for
13 the Commission to impose discipline, up to and including revocation of
14 Mr. Buckendahl's teaching license subject to Mr. Buckendahl's right to a hearing on the
15 issue of whether he violated probation.

16 IT IS SO ORDERED this 8th day of August, 2003

17 TEACHER STANDARDS AND PRACTICES COMMISSION

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19 By: 
20 Victoria Chamberlain, Executive Director

21 APPROVED AS TO FORM

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24 Aruna Masih, OSB #97324
25 Attorney for Dale Buckendahl

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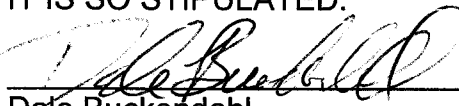
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Victoria Chamberlain, Executive Director
Teacher Standards and Practices Commission

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2 **ORDER**

3 The Commission adopts the above findings of fact and suspends the Oregon
4 licensure of Dale Buckendahl for a period of thirty (30) days effective August 8, 2003.

5 At the end of the suspension period Mr. Buckendahl may apply for reinstatement of
6 licensure provided he meet the following conditions:

7 1. Submission of a complete application and fees pursuant to OAR 584-050-
8 0015(3); and

9 2. Submission of documentation that he has undergone an evaluation by a
10 psychotherapist or medical professional acceptable to the Commission, and the
11 evaluator submits a written report to the Commission attesting (a) Mr. Buckendahl is fit
12 to work with children and teenagers, and (b) there is a high probability he will not use
13 school district equipment to access sexually explicit materials or engage in similar
14 inappropriate behavior. Any costs associated with the assessment or treatment will be
15 the responsibility of Mr. Buckendahl.

16 3. Submission of documentation that he has completed (at his own expense), an
17 intensive education program regarding appropriate boundaries with students, including
18 sexual harassment education conducted by a qualified trainer approved in advance by
19 the Commission. This intensive training shall consist of, at least eight (8) contact hours.
20 Mr. Buckendahl shall provide the trainer with a copy of the Order. The program trainer
21 shall provide the Commission with a report of successful program completion.

22 Upon the reinstatement of licensure, Mr. Buckendahl shall be placed on
23 probation by the Commission for a period of four (4) years subject to the conditions that:

1 1. Mr. Buckendahl shall substantially comply with any treatment or counseling as
2 recommended by the individual who completed the evaluation described above.

1 2. Mr. Buckendahl shall sign a consent form authorizing the Commission to
2 request, and the treatment provider or counselor to provide, a written summary report,
3 as necessary, verifying Mr. Buckendahl's continued compliance with treatment
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