OF THE STATE OF OREGON

<i>-</i>	OF THE STATE OF OREGON
3 4 5	In the Matter of the) STIPULATION OF FACTS, Teaching License of) ORDER OF SUSPENSION DALE BUCKENDAHL) AND PROBATION
6	On or about November 1, 2002, the Teacher Standards and Practices
7	Commission (Commission) received a report from Linda Borquist, Associate
8	Superintendent for Human Resources, Beaverton School District indicating that the
9	District reprimanded Dale Buckendahl for failure to maintain appropriate student-teacher
10	boundaries.
11	Mr. Buckendahl fully cooperated with the Commission's investigation. After
12	review of the matters alleged, Mr. Buckendahl and the Commission agree that their
13	respective interests, together with the public interest, are best served by a stipulation to
	certain facts and the imposition of a thirty (30) day suspension of his teaching license
15	followed by a period of probation of four (4) years upon reinstatement of licensure.
16	This Order sets forth the facts upon which the parties have agreed and the
17	sanction to be imposed. Mr. Buckendahl stipulates that there are sufficient facts
18	contained in the Commission's files and records to support the findings of fact and
19	conclusions of law set forth below. In entering into this stipulation, Mr. Buckendahl
20	waives the right to a hearing to contest the findings of fact, conclusions of law and order
21	set forth below. Mr. Buckendahl understands that the probation will be subject to
22	specific conditions.
23	This stipulation is contingent upon approval and adoption of the Order by the
24	Commission. If the Commission does not adopt this Order, neither Mr. Buckendahl nor
	the Commission are bound by these stipulations, and Mr. Buckendahl retains all rights
26	to a hearing on the allegations.

Page 1 STIPULATION OF FACTS, ORDER OF SUSPENSION AND PROBATION-BUCKENDAHL

1	STIPULATION OF FACTS
	1. Mr. Buckendahl holds a Basic Teaching License most recently issued October
3	14, 2002, valid through June 22, 2006.
4	2. Mr. Buckendahl is employed by the Beaverton School District as a teacher at
5	Barnes Elementary School.
6	3. Mr. Buckendahl attempted to use his classroom computer on October 17,
7	2002, to access sexually explicit materials through the District's Internet connection in
8	violation of District policy regarding Internet use. The District filter program blocked his
9	activities.
10	4. On October 17, 2002, the District issued a Letter of Reprimand to
11	Mr. Buckendahl for inappropriate email correspondence with students, giving gifts,
12	sending notes and cards to students, and inappropriate physical contact with former
	Barnes Elementary students currently participating in a Future Teachers program.
14	IT IS SO STIPULATED:
15 16	Dale Buckendahl $\frac{7-5-03}{\text{Date}}$
17 18	Tudoud hamberlain 6-12-03
19 20	Victoria Chamberlain, Executive Director Date Teacher Standards and Practices Commission

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CONCLUSIONS OF LAW

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 Commission's authority to impose discipline in this matter is based upon ORS 342.175. 1 ORDER

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

- 4 At the end of the suspension period Mr. Buckendahl may apply for reinstatement of 5 licensure provided he meet the following conditions:
- 1. Submission of a complete application and fees pursuant to OAR 584-050-7 0015(3); and
 - 2. Submission of documentation that he has undergone an evaluation by a psychotherapist or medical professional acceptable to the Commission, and the evaluator submits a written report to the Commission attesting (a) Mr. Buckendahl is fit to work with children and teenagers, and (b) there is a high probability he will not use school district equipment to access sexually explicit materials or engage in similar inappropriate behavior. Any costs associated with the assessment or treatment will be the responsibility of Mr. Buckendahl.
 - 3. Submission of documentation that he has completed (at his own expense), an intensive education program regarding appropriate boundaries with students, including sexual harassment education conducted by a qualified trainer approved in advance by the Commission. This intensive training shall consist of, at least eight (8) contact hours. Mr. Buckendahl shall provide the trainer with a copy of the Order. The program trainer shall provide the Commission with a report of successful program completion.

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

1. Mr. Buckendahl shall substantially comply with any treatment or counseling as 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
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
	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 day of August, 2003
17	TEACHER STANDARDS AND PRACTICES COMMISSION
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19 20	By: Wictoria Chamberlain, Executive Director
21	APPROVED AS TO FORM
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23 24 25	Aruna Masih, OSB #97324 Attorney for Dale Buckendahl [061203]

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