

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

4 **STIPULATION OF FACTS**

- 5 1) Burkart has been licensed as an educator in Oregon since June 17, 1987. Burkart holds a Standard
6 Teaching License, with endorsements in Basic Language Arts (O2O) and Standard Social Studies
7 (O2O), valid from February 10, 2014, through February 9, 2019. During all relevant times, Burkart
8 was employed by the North Wasco County School District (NWCSO).
- 9 2) On May 2, 2016, the Commission received a report from NWCSO advising that Burkart was the
10 subject of an investigation related to conduct that may be considered gross neglect of duty or gross
11 unfitness. The report alleges Burkart engaged in grooming behaviors with students, displayed
12 inappropriate teacher / student boundaries, and accessed adult websites via Burkart's school
13 district computer. The district report indicated that due to the nature of the investigation, they
14 reported the allegations to local law enforcement who also conducted an investigation. On March
15 30, 2016, the district was notified that the law enforcement investigation had been completed and
16 the district could continue their local investigation process.
- 17 3) In March, 2016, NWCSO received information alleging that beginning on or about the spring of 2012,
18 Burkart engaged in student / teacher boundary violations with multiple students. These boundary issues
19 continued throughout the 2012-2013 school year, and Burkart continued contact beyond the students'
20 graduation dates. On March 9, 2016, NWCSO placed Burkart on administrative leave while they
21 conducted an investigation.
- 22 Investigation determined that former student NJ met Burkart during her junior year in high school in
23 2012. NJ, having recently become homeless, moved in with Burkart and his family during the summer of
24 2012 because she was friends with Burkart's son and Burkart's son asked his family to allow NJ to stay
25 with them. NJ reported having a crush on Burkart, but Burkart indicated she did not communicate those
26 feelings to him. NJ reported that Burkart began to communicate with her inappropriately, including

1 using innuendos and word play that were inappropriate. Burkart reported that he and NJ had a casual
2 rapport at home, which Burkart then viewed as normal considering NJ's role as a teenage member of
3 Burkart's household.

4 NJ reported Burkart would take her for long drives alone and play sexual word games, discussing sexual
5 topics and sexual fantasies. Burkart reported NJ asked him to take her for long drives as a way to address
6 her anxiety. During the drives, Burkart reported he and NJ generally discussed issues of concern to NJ,
7 including her anxiety, her future, and her confusion about her sexual orientation.

8 NJ told investigators Burkart had provided her with the book "Lolita" to read, advised her that Burkart
9 listened to her masturbate in her bedroom, and sometime later, told NJ that Burkart had dreams and
10 fantasies about having sex with her and other girls. Burkart reported that he offered NJ access to all of his
11 large literature collection his home, including "Lolita", and NJ elected to read "Lolita" on her own
12 initiative without notifying Burkart. Burkart also reported that he once heard strange noises coming from
13 NJ's bedroom and later brought up the incident to NJ to warn her that she should be aware that others in
14 the house could hear her. Finally, Burkart denied discussing sexual fantasies with NJ.

15 With NJ present, Burkart made a reference to wanting a "blowie" (oral sex) when a drive-thru employee
16 asked if Burkart wanted anything else. Burkart admitted making this comment and acknowledged it was
17 inappropriate and tasteless.

18 NJ sent Burkart a link to her Tumblr website, which contained, among other photos, a picture of NJ
19 wearing a very revealing blouse made of macramé. After he saw that photo, Burkart communicated to NJ
20 that she should not be wearing such revealing clothing.

21 After NJ graduated from high school, NJ reported that she and Burkart also engaged in inappropriate
22 communications via Facebook. Burkart admitted communicating with NJ through Facebook, but denied
23 any improper motivation for doing so.

1 NJ told investigators that Burkart's conduct never developed into actual sexual contact but believes if she
2 had encouraged it further, it would have. Burkart, however, reported that he had no intention of having
3 any type of romantic relationship with NJ, and Burkart and his entire family were relieved when NJ
4 departed their household.

5 NJ stated she has been suffering from depression as a result of Burkart's conduct and has been
6 participating in therapy to work through these issues. Burkart reports that NJ was already suffering from
7 severe, diagnosed mental health issues when she first starting living with his family, and Burkart and his
8 wife helped facilitate her treatment throughout her time with them.

9 4) NWCSO conducted an audit of Burkart's school district computer usage. The audit discovered that
10 Burkart had used his school district's remote internet server account through his personal laptop to access
11 inappropriate websites. There were approximately 4000 hits at various sites. These web sites included
12 pornography and questionable Autonomous Sensory Meridian Response (ASMR) sites and videos. It was
13 further determined that Burkart used district resources (email, computer, server) to subscribe to non-
14 educational material list servers, organizations, and websites. Burkart's computer usage conduct violated
15 school district policies.

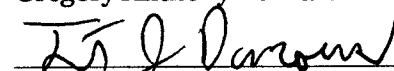
16 5) Law enforcement elected not to file criminal charges against Burkart. The district's investigation
17 concluded that Burkart's conduct was inappropriate and violated school district policies. On April 13,
18 2016, the district provided Burkart with notice of their investigation, and on April 18, 2016, Burkart
19 resigned his employment in lieu of termination with NWCSO, effective April 25, 2016.

20

21 IT IS SO STIPULATED:

22 
23 _____
Gregory Anthony Burkart

10/05/2017
Date

24 
25 _____
Trent Danowski, Co-Interim Executive Director
26 Teacher Standards and Practices Commission

10/20/2017
Date

1 **CONCLUSIONS OF LAW**

2 Gregory Anthony Burkart's conduct described in sections two and three above constitutes
3 gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates
4 OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0025(2)(e) (*Using district lawful*
5 *and reasonable rules and regulations*); OAR 584-020-0040(4)(o) as it incorporates, OAR 584-020-
6 0035(1)(b) (*Refrain from exploiting professional relationships with any student for personal gain, or*
7 *in support of persons or issues*), OAR 584-020-0035(1)(c)(A) (*Not demonstrating or expressing*
8 *professionally inappropriate interest in a student's personal life*), and OAR 584-020-0035(1)(c)(D)
9 (*Honoring appropriate adult boundaries with students in conduct and conversations at all times*).

10 Gregory Anthony Burkart's conduct described in section four above constitutes gross neglect of
11 duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-
12 0010(5) (*Use professional judgment*), OAR 584-020-0025(2)(b) (*Using and maintaining district*
13 *property, equipment, and materials appropriately*), OAR 584-020-0025(2)(e) (*Using district lawful*
14 *and reasonable rules and regulations*), and OAR 584-020-0040(4)(q) (*Unauthorized use of school*
15 *electronic equipment to receive, store, produce or send sexually explicit materials*).

16
17 The Commission's authority to impose discipline in this matter is based upon ORS 342.175.

18 **ORDER**

19 The Commission hereby adopts and incorporates herein the above stipulation of facts,
20 conclusions of law, and based thereon hereby imposes a one (1) year suspension upon Burkart's
21 Oregon educator license as follows:

22 Gregory Anthony Burkart's Oregon educator license is hereby suspended for one (1) year
23 following the adoption of this order. Burkart will, within the first six months of his suspension,
24 successfully complete a Commission approved boundary course / training.

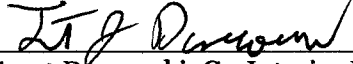
25 Furthermore, the Commission imposes a period of four (4) years of probation upon Burkart's
26 Oregon educator license to commence upon reinstatement of his license and subject to the following
27 terms and conditions of probation:

- 1 1. Burkart shall comply with the Standards for Competent and Ethical Performance of
2 Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020.
3 2. Burkart will continue attending individual therapy, as recommended by his therapist,
4 relating to his conduct, to include the entire period of suspension and continuing through
5 the first year of his probation period. Burkart will submit written reports to the
6 Commission every 6 months during the suspension period and during the first year of the
7 probation period regarding therapeutic progress and attendance.

8
9 Violation of any term or condition of probation shall constitute an independent basis for the
10 Commission to revoke Burkart’s educator license or otherwise impose discipline, after first providing
11 Burkart with notice and opportunity for hearing.

12
13
14 IT IS SO ORDERED this 9th day of November, 2017.

15 TEACHER STANDARDS AND PRACTICES COMMISSION

16
17 By: 
18 Trent Danowski, Co-Interim Executive Director