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BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
OF THE STATE OF OREGON

In the Matter of the) STIPULATION OF FACTS AND
Teaching License of) FINAL ORDER OF REVOCATION
CARLOS JORGE MONTEBLANCO)

On June 18, 2009, the Commission received a report from Barbara Rommel, Superintendent, David Douglas School District alleging Carlos Monteblanco may have engaged in Gross Neglect of Duty .

After review of the matters alleged, Monteblanco and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts, and Revocation of Monteblanco’s Oregon Teaching License.

This document sets forth the facts upon which the parties have agreed and the stipulated sanction to be imposed. Monteblanco stipulates that there is sufficient evidence in the Commission’s files and records to support the findings of fact, conclusions of law, and order set forth below.

By signing below, Monteblanco acknowledges, understands, stipulates, and agrees to the following: (i) he has been fully advised of his rights to notice and a hearing to contest the findings of fact, conclusions of law, and order set forth below, and fully and finally waives all such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Revocation (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to the public upon request by the Commission; (iii) this Stipulation and Final Order is contingent upon and subject to approval and adoption by the Commission. If the Commission does not approve and adopt this Stipulation and Final Order, then neither Monteblanco nor the Commission are bound by the terms herein; (iv) he has fully read this Stipulation and Final Order, and understands it completely; (v) he voluntarily, without any force or duress, enters into this Stipulation and Final Order and consents to issuance and

1 entry of the Stipulated Final Order below; (vi) he states that no promises or representation has
2 been made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted
3 with an attorney regarding this Stipulation and Final Order and has been fully advised with
4 regard to his rights thereto, or waives any and all rights to consult with an attorney prior to
5 entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final
6 Order below. This Order sets forth the facts upon which the parties have agreed and the
7 sanction to be imposed. Monteblanco stipulates that there are sufficient facts contained in the
8 Commission's files and records to support the findings of fact and conclusions of law set forth
9 below. In entering into this stipulation, Monteblanco waives the right to a hearing to contest the
10 findings of fact, conclusions of law and order set forth below.

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STIPULATION OF FACTS

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1. The Commission has licensed Mr. Monteblanco since April 7, 1994. Mr. Monteblanco
14 currently holds an Initial I Teaching License issued November 4, 2005, with
15 endorsements in English for Speakers of Other Languages (ML/HS, ECE/ELE L),
16 Multiple Subjects (MIDLVL), and Spanish (HS, ML), which expired on November 3,
17 2009. Mr. Monteblanco timely applied for renewal of this license.

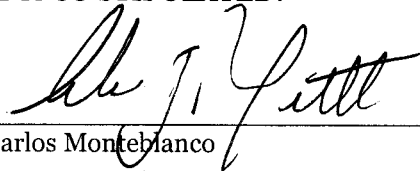
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2. During the 2008-2009 school year, students reported that Mr. Monteblanco engaged in
19 physical and verbal activity that made them uncomfortable. This conduct spanned the
20 2007-2008 and 2008-2009 school years, and an event over summer break. Mr.
21 Monteblanco's verbal conduct reportedly included making suggestive comments to
22 female students; commenting on their age or appearance. Mr. Monteblanco's physical
23 conduct reportedly included touching female students' backs, waists, hips, sides, and
24 staring at female students in a manner that made students uncomfortable. Mr.
25 Monteblanco denies that he intentionally engaged in inappropriate conduct, but
26 stipulates that his conduct violated professional teacher-student boundaries.

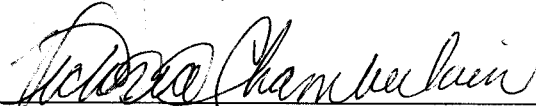
- 1 3. During the 2008-2009 school year the school district provided its teachers, including
 2 Mr. Montebianco, a lap-top computer for professional use. During the 2008-2009 school
 3 year, Mr. Montebianco used the computer for other than professional use, including
 4 accessing the internet and emails which contained images from Youtube that were not
 5 consistent with professional use of the computer.
- 6 4. Mr. Montebianco has been previously disciplined by the Beaverton School District for
 7 conduct that occurred during the 1999-2000 school year. As part of a classroom gift
 8 exchange, Mr. Montebianco gave a female student assistant a gift from Victoria's Secret
 9 consisting of body lotions, a pair of boxer shorts and a pair of underwear. On
 10 November 29, 2006 (David Douglas School District) he used inappropriate language
 11 with a student and touched the student inappropriately as he was directing the student
 12 to leave the classroom. The David Douglas School District reprimanded him for this
 13 behavior.

14

15 IT IS SO STIPULATED:

16 
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 18
 19 Carlos Montebianco

12/07/2012
 Date

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 21
 22
 23 Victoria Chamberlain, Executive Director
 24 Teacher Standards and Practices Commission

12-14-12
 Date

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1 **CONCLUSION OF LAW**

- 2 1. By engaging in the conduct in paragraph 2 above, Mr. MontebLANCO engaged in gross
3 neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it
4 incorporates OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-
5 0025(2)(a) (*Establishing and maintaining classroom management that is conducive to*
6 *learning*), OAR 584-020-0030(b) (*Skill in communicating with administrators,*
7 *students, staff, parents, and other patrons*), , OAR 584-020-0035(1)(c)(A) (*Not*
8 *demonstrating or expressing professionally inappropriate interest in a student's*
9 *personal life*),.
- 10 2. By engaging in the conduct in paragraph 3 above, Mr. MontebLANCO engaged in gross
11 neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it
12 incorporates OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-
13 0025(2)(b) (*Using and maintaining district property, equipment, and materials*
14 *appropriately*), OAR 584-020-0025(2)(e) (*Using district lawful and reasonable rules*
15 *and regulations*).
- 16 3. By engaging in the conduct in paragraph 4(a) above, Mr. MontebLANCO engaged in gross
17 neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it
18 incorporates OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-
19 0025(2)(e) (*Using district lawful and reasonable rules and regulations*), OAR 584-020-
20 0030(2)(b) (*Skill in communicating with administrators, students, staff, parents, and*
21 *other patrons*).
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1 4. By engaging in the conduct in paragraph 4(b) above, Mr. Monteblanco engaged in gross
2 neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it
3 incorporates OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-
4 0025(2)(a) (*Establishing and maintaining classroom management that is conducive to*
5 *learning*), OAR 584-020-0030(b) (*Skill in communicating with administrators,*
6 *students, staff, parents, and other patrons*) .
7

8 **ORDER**

9 The Commission adopts the above Findings of Fact and Conclusions of Law and revokes
10 Carlos Monteblanco's License.

11
12 IT IS SO ORDERED this 11th day of February, 2013.

13 TEACHER STANDARDS AND PRACTICES COMMISSION

14
15 By: 
16 Victoria Chamberlain, Executive Director