

- 1 b. This Stipulation and Final Order is a public document and disclosed to the public upon
- 2 request by the Commission;
- 3 c. He has fully read this Stipulation and Final Order, and understands it completely;
- 4 d. He voluntarily, without any force or duress, enters into this Stipulation and Final
- 5 Order and consents to issuance and entry of the Stipulated Final Order below;
- 6 e. He states that no promise or representation has been made to induce him to sign this
- 7 Stipulation and Final Order; and
- 8 f. He has consulted with an attorney regarding the Stipulation and Final Order and has
- 9 been fully advised with regard to his rights thereto.
- 10 4. The agreements by the parties to each of the foregoing provisions of this Agreement are
- 11 mutually dependent, each upon the other. The consideration with respect to each individual
- 12 provision includes, but is not limited to, the agreement of each party to be bound by every
- 13 other term of this Agreement. The pledges contained in this Agreement are not mere recitals;
- 14 they are contractual provisions.
- 15 5. Each party shall bear its own legal fees and costs incurred in connection with all proceedings
- 16 to date regarding the licensure of Hensel, including those costs incurred in Oregon Court of
- 17 Appeals Case No. A152246.

STIPULATION OF FACTS


- 19 1. Hensel has been licensed as an administrator in Oregon since June 11, 2001. Hensel's current
- 20 Administrator License is valid November 12, 2007 through January 6, 2013. During all
- 21 relevant times of the complaint, Hensel was employed by the Athena-Weston School District.
- 22 2. On May 2, 2010, the Commission received a report from Kevin Davis indicating that Hensel,
- 23 engaged in a sexual relationship with his wife, Renee Davis, when she was a teacher at the
- 24 Athena-Weston School District during the 2003-2004 school year. Also, in May 2010, Mrs.
- 25 Davis gave the Commission a six-page handwritten statement detailing her experience with
- 26 Hensel. Mrs. Davis would not have made the statement if her husband had not asked her to

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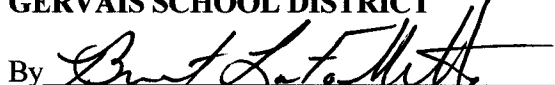
do so.

- 3. During the relevant events, Hensel was employed as the Superintendent of the Athena-Weston School District. As superintendent and the elementary school principal, Hensel supervised Mrs. Davis, although an administrator at the middle school was responsible for her job performance evaluation.
- 4. Mrs. Davis and Hensel engaged in a sexual relationship during the 2003-2004 school year, with some of the sexual conduct occurring on school grounds. The relationship ended when the 2003-2004 school year ended.
- 5. Neither Hensel nor Mrs. Davis told anyone about their sexual relationship. No one with the Athena-Weston School District ever reported anything about the sexual relationship between Hensel and Mrs. Davis.
- 6. Hensel did not offer Mrs. Davis a pay raise, a good job performance evaluation or a favorable job recommendation to continue their sexual relationship. He did not threaten to give her a poor job performance evaluation or an unfavorable job recommendation if she did not continue the relationship.
- 7. The Gervais School District hired Hensel as superintendent for the 2007-2008 school year. He remains superintendent of the district. The school board has given Hensel very good evaluations as superintendent.
- 8. Hensel has never been disciplined by the Commission.

IT IS SO STIPULATED:

	<u>12-6-12</u>
Richard Boyd Hensel	Date

GERVAIS SCHOOL DISTRICT

	<u>12/6/2012</u>
By Brent LaFollette, Board Chair	Date

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TEACHER STANDARDS AND PRACTICES COMMISSION

By *Victoria Chamberlain* *12/10/12*
Victoria Chamberlain, Executive Director Date

CONCLUSION OF LAW

Richard Boyd Hensel's conduct constitutes gross neglect of duty by exercising poor professional judgment in violation of OAR 584-020-0040(n) as it incorporates 584-020-0010(5) (Use of professional judgment).

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

ORDER

The Commission adopts and incorporates the above findings of fact and conclusions of law, and based thereon, imposes a thirty (30) day suspension upon Hensel's Continuing Administrator License.

Issued and dated this 10 day of December, 2012.

**TEACHER STANDARDS AND PRACTICES COMMISSION
STATE OF OREGON**

By *Victoria Chamberlain*
Victoria Chamberlain, Executive Director