

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION

2 OF THE STATE OF OREGON

3 In the Matter of the) STIPULATION OF FACTS,
4 Teaching License of) SUSPENSION OF RIGHT TO APPLY
5 JUSTIN JAMES LINDEMANN) AND PROBATION

6 On June 23, 2005, the Teacher Standards and Practices Commission (Commission)
7 received a report from Michael L. Taylor, Superintendent, Parkrose Public Schools alleging that
8 Justin James Lindemann (Lindemann) gave a personal gift and note to a student and allowed
9 two students to stay overnight at his residence without permission from the parents. It was also
10 reported that Mr. Lindemann may have failed to appropriately report the abuse of a child.

11 Mr. Lindemann fully cooperated with the Commission's investigation. After review of
12 the matters alleged, Mr. Lindemann and the Commission agree that their respective interests,
13 together with the public interest, are best served by a stipulation to certain facts and a one year
14 suspension of his right to apply for a teaching license. After the one year period of suspension
15 of his right to apply, Mr. Lindemann may apply for reinstatement of licensure pursuant to OAR
16 584-050-0015(3). Mr. Lindemann will be placed on a four (4) year period of probation upon
17 reinstatement of licensure.

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

22 By signing below, Mr. Lindemann acknowledges, understands, stipulates, and agrees to
23 the following: (i) he has been fully advised of his rights to notice and a hearing to contest the
24 findings of fact, conclusions of law, and order set forth below, and fully and finally waives all
25 such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final
26 Order of Surrender of Right to Apply (Stipulation and Final Order); (ii) this Stipulation and Final
27 Order is a public document and disclosed to the public upon request by the Commission;

1 (iii) this Stipulation and Final Order is contingent upon and subject to approval and adoption by
2 the Commission. If the Commission does not approve and adopt this Stipulation and Final
3 Order, then neither Mr. Lindemann nor the Commission are bound by the terms herein; (iv) he
4 has fully read this Stipulation and Final Order, and understands it completely; (v) he voluntarily,
5 without any force or duress, enters into this Stipulation and Final Order and consents to
6 issuance and entry of the Stipulated Final Order below; (vi) he states that no promises or
7 representation has been made to induce him to sign this Stipulation and Final Order; and (vii) he
8 has consulted with an attorney regarding this Stipulation and Final Order and has been fully
9 advised with regard to his rights thereto, or waives any and all rights to consult with an attorney
10 prior to entering into this Stipulation and Final Order and issuance and entry of the Stipulated
11 Final Order below.

12 **STIPULATION OF FACTS**

13 1. The Commission issued a Restricted (Parkrose Public Schools) Transitional
14 Teaching License to Mr. Lindemann on February 11, 2003, valid until February 11, 2006, with a
15 Drama Endorsement.

16 2. Mr. Lindemann served as a Drama Teacher at Parkrose High School without a
17 license from November 2002, until February 11, 2003. Mr. Lindemann resigned in lieu of
18 termination on June 20, 2005.

19 3. On September 9, 2004, Mr. Lindemann brought the female high school student to see
20 school counselor, Bob Grovenburg. Mr. Grovenburg made an immediate child abuse report
21 pursuant to ORS 419B.010. Mr. Lindemann asked Mr. Grovenburg if it would be okay for the
22 female high school student to stay in Mr. Lindemann's home. Mr. Grovenburg told Mr.
23 Lindemann that it would not be okay.

24 4. During the fall of 2004, Mr. Lindemann bought a stuffed animal as a gift for the female
25 high school student and wrote her a personal letter signed, "Love Always, Justin."


1 5. In October of 2004, the female high school student and a friend telephoned Mr.
2 Lindemann at his residence and indicating that they did not feel comfortable where they were
3 staying because there was a party and drinking. Mr. Lindemann did not contact the female high
4 school student's foster parents or contact law enforcement. Mr. Lindemann drove to the
5 address and picked up the female high school student and her friend. Both students spent the
6 night at Mr. Lindemann's house.

7 **IT IS SO STIPULATED:**

8 
9 Justin James Lindemann

Date

1-14-07

10 
11 Victoria Chamberlain, Executive Director
12 Teacher Standards and Practices Commission

Date

1-08-07

13 **CONCLUSION OF LAW**

14 Justin James Lindemann failed to maintain an appropriate student-teacher relationship
15 with two female students at Park Rose High School during the 2004-2005 school year in
16 violation of OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(1)(c). From
17 November 2002 until February 11, 2003, Mr. Lindemann served without proper licensure in
18 violation of OAR 584-050-0030(2). This misconduct constitutes Gross Neglect of Duty. The
19 Commission has authority to impose discipline in this matter under ORS 342.120 through
20 342.430 and OAR Chapter 584.

21 **ORDER**

22 The Commission adopts and incorporates herein the above finding of facts and
23 conclusions of law, and based thereon, hereby suspends the right of Justin James Lindemann
24 to apply for a teaching license for one year from the date of this order. After the period of
25 suspension of his right to apply, Mr. Lindemann may apply for reinstatement of licensure
26 pursuant to OAR 584-050-0015(3). The Commission will require Mr. Lindemann to provide
27 evidence of completion of a boundaries training program at the time of reinstatement.

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

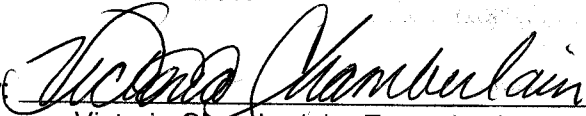
3 1. Mr. Lindemann shall comply with all Standards for Competent and Ethical
4 Performance of Oregon Educators under Oregon Administrative Rules, Chapter 584; and

5 2. Mr. Lindemann shall provide information as requested by the Commission to verify
6 that he has complied with the conditions of probation, including a statement from a future
7 employing district that he has complied with the Standards for Competent and Ethical
8 Performance of Oregon Educators.


9 Violation of the terms of this probation may constitute an independent basis for the
10 Commission to impose discipline, up to and including revocation of Mr. Lindemann's licensure
11 subject to Mr. Lindemann's right to a hearing on the issue of whether he violated probation.

12 Issued and dated this 22 day of January, 2007.

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

15
16 By: 
17 Victoria Chamberlain, Executive Director

18 Approved as to form:

19 
20 Adam S. Arms, OSB#01018
21 Attorney for Justin James Lindemann

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