

1 BEFORE THE TEACHERS AND STANDARDS AND PRACTICES COMMISSION  
2 OF THE STATE OF OREGON

3 In the Matter of the  
4 Teaching License of  
5 JAMES WENDEL ENGEMAN

6 STIPULATION OF FACTS  
7 AND ORDER

8 On May 16, 2000, the Teacher Standards and Practices Commission informed James Engeman that the  
9 Commission found sufficient evidence of violation of Standards for Competent and Ethical Performance of  
10 Oregon Educators to warrant a hearing on the allegations of gross neglect of duty. Mr. Engeman requested a  
11 hearing on the allegations, but before a hearing date was set, the parties have agreed that their respective  
12 interest and the interests of the State are best served by a Stipulation of Facts and Order of Public Reprimand  
13 as set forth below.

14 STIPULATION OF FACTS

- 15 1. James Wendel Engeman holds a Standard Teaching License endorsed for Elementary,  
16 Educational Media, Reading and Handicapped Learner and valid from July 15, 1999 to  
17 September 2, 2004.
- 18 2. On or about September 28, 1999, Engeman violated OAR 584-020-0040(4)(f) when he  
19 touched BD, a male student in his class, at Monitor Elementary School in a manner that  
20 made BD feel uncomfortable
- 21 3. On or about September 30, 1998, Engeman violated OAR 584-020-0040(4)(f) when he  
22 touched II, a male student in his class, at Monitor Elementary School in a manner that made  
23 II feel uncomfortable.

24 James Wendel Engeman enters into this Stipulation of Facts with knowledge that the Teacher Standards and  
25 Practices Commission will issue a Public Reprimand. This Stipulation is contingent upon approval and  
26 adoption of the Order by the Commission. If the Commission does not adopt this Order, neither Mr. Engeman  
nor the Commission are bound by these stipulations and Mr. Engeman retains all rights to a hearing on the  
allegations.

IT IS SO STIPULATED:

21 James Wendel Engeman  
James Wendel Engeman

21 June 5, 2000  
Date

22 David V. Myton  
23 David V. Myton, Executive Director  
Teacher Standards and Practices Commission

22 6/12/00  
Date

24 ULTIMATE FINDINGS OF FACT

25  
26 James Wendel Engeman violated OAR 584-020-0040(4)(f) when he touched two male students while  
serving as a substitute teacher at Monitor Elementary School in the Silver Falls School District in a manner  
that made them feel uncomfortable.

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CONCLUSIONS OF LAW

Under ORS 342.175 and OAR 584-020-0040(4), the conduct described in the Findings of Fact constitutes gross neglect of duty.

ORDER

The Commission issues a Public Reprimand to James Wendell Engeman for gross neglect of duty and this Order shall serve as the reprimand.

Dated this 17<sup>th</sup> day of July, 2000.

TEACHER STANDARDS AND PRACTICES COMMISSION

By   
David V. Myton, Executive Director

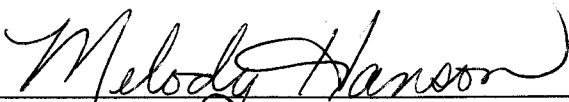
DVM/mgh

CERTIFICATE OF MAILING

I hereby certify that I served the foregoing order by mailing a true copy thereof certified by me as such by U.S. Certified Mail with Return Receipt Requested to attorney for James Engeman:

Lawrence J. Hall  
Attorney at Law  
P O Box 785  
Silverton, OR 97381

Dated this 17<sup>th</sup> day of July, 2000.

By   
Melody G. Hanson  
Executive Assistant to the Commission