

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

3 In the Matter of the 4 Teaching License of 5 JOHN COLEMAN LIENHART)))	STIPULATION OF FACTS, REPRIMAND AND ORDER OF PROBATION
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6 On February 27, 2008 the Teacher Standards and Practices Commission (Commission)
 7 received a letter from Mark Moser, Administrator of Licensed Personnel for the Beaverton
 8 School District, reporting an incident between a male first grade student and Mr. Lienhart.

9 Mr. Lienhart fully cooperated with the Commission's investigation in this matter. After
 10 review of the matters alleged, Mr. Lienhart and the Commission agree that their respective
 11 interests, together with the public interest, are best served by a stipulation to certain facts and
 12 the imposition of a public reprimand and one (1) year probation.

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

17 By signing below, Mr. Lienhart acknowledges, understands, stipulates, and agrees to the
 18 following: (i) he has been fully advised of his rights to notice and a hearing to contest the
 19 findings of fact, conclusions of law, and order set forth below, and fully and finally waives all
 20 such rights and any rights to appeal or otherwise challenge this Stipulation of Facts, Final Order
 21 of Reprimand and Probation (Stipulation and Final Order); (ii) this Stipulation and Final Order is
 22 a public document and disclosed to the public upon request by the Commission; (iii) this
 23 Stipulation and Final Order is contingent upon and subject to approval and adoption by the
 24 Commission. If the Commission does not approve and adopt this Stipulation and Final Order,
 25 then neither Mr. Lienhart nor the Commission are bound by the terms herein; (iv) he has fully
 26 read this Stipulation and Final Order, and understands it completely; (v) he voluntarily, without
 27 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 promise or representation has
2 been made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with
3 an attorney regarding this Stipulation and Final Order and has been fully advised with regard to
4 his rights thereto, or waives any and all rights to consult with an attorney prior to entering into
5 this Stipulation and Final Order and issuance and entry of the Stipulated Final Order below.

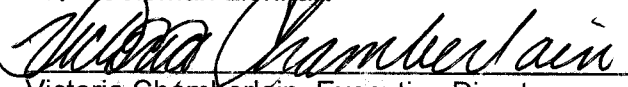
6 **STIPULATION OF FACTS**

- 7 1. The Commission has licensed Mr. Lienhart since July 31, 1978. Mr. Lienhart currently
8 holds a Basic Teaching license with endorsements in administrative services and basic
9 general business education, issued February 7, 2007 through May 2, 2010.
- 10 2. On February 8, 2008 a first grade student in Mr. Lienhart's classroom was swinging a
11 coat over his head. Mr. Lienhart had dealt with this behavior issue throughout the class
12 period.
- 13 3. The student wrapped the coat around his neck in an effort to avoid Mr. Lienhart taking
14 the coat.
- 15 4. As a result of Mr. Lienhart taking the coat from the student, the student's shirt became
16 ripped and a scratch was left on the students' neck, likely from the coat zipper.

17 **IT IS SO STIPULATED AND AGREED TO:**

18 
19 John Coleman Lienhart

5/20/09
Date

20 
21 Victoria Chamberlain, Executive Director
22 Teacher Standards and Practices Commission

4-13-09
Date

23 **CONCLUSIONS OF LAW**

24 John Coleman Lienhart engaged in a physical struggle to take an article of clothing from
25 a student in an attempt to control his behavior. During this effort the student's shirt became
26 ripped and his neck was scratched. This conduct constitutes gross neglect of duty in violation of
27 OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0025(2)(a).

28 **STIPULATED FINAL ORDER**

1 The Commission adopts and incorporates herein the above findings of facts and
2 conclusions of law, and based thereon, imposes a Public Reprimand on John Coleman
3 Lienhart.

4 Furthermore, the Commission hereby imposes a one (1) year probation on Mr. Lienhart,
5 subject to the following special terms and conditions of probation:

- 6 1. Mr. Lienhart shall report in writing within twenty days to the Executive Director of the
7 Commission any arrest or citation for any felony, misdemeanor, or major traffic violation.
8 2. Mr. Lienhart shall comply with the Standards for Competent and Ethical Performance of
9 Oregon Educators under Oregon Administrative Rules, Chapter 584, and Division 020.
10 Violation of any of the terms of probation shall constitute an independent basis for the
11 Commission to revoke Mr. Lienhart's teaching license or otherwise impose discipline, after first
12 providing Mr. Lienhart with notice and opportunity for hearing.

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14 Issued and dated this 10th day of August, 2009.

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

17 By *Victoria Chamberlain*
18 Victoria Chamberlain, Executive Director
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