

1 Initial I School Counselor License. During all relevant times, Baumann was employed by
2 the Rogue River School District.

3 2. On August 19, 2005, Baumann received an Emergency School Counselor License which
4 expired on August 19, 2006. Baumann applied for renewal of her Initial I Teaching
5 License, which was received on February 28, 2008. On May 20, 2008, TSPC sent
6 Baumann a letter that advised; "*The Executive Director has determined that your
7 position as High School Academic/Scholarship Advisor is not acceptable to meet the
8 recent experience requirement for the Initial I Teaching License. Your position as
9 Academic/Scholarship Advisor requires a School Counselor License. If you still have not
10 met requirements for the Initial I School Counselor License your district will need to
11 request extension of your expired Emergency School Counselor License as soon as
12 possible if you are going to continue in your current position*". Baumann's school district
13 submitted a PEER form as part of her application, indicating she had worked as
14 "*Academic/Scholarship Advisor*" for the 2007-2008 school year. Baumann was informed
15 that the change in job title alone was not sufficient to relieve Baumann of the
16 requirement to have a valid School Counselor License. TSPC reviewed Baumann's job
17 description and determined that her position as *Academic/Scholarship Advisor* still
18 required a School Counselor License. Baumann did not apply for an Initial I School
19 Counselor License, nor did Baumann request an extension of her expired Emergency
20 School Counselor License.

21 3. Baumann shared TSPC's correspondence with her administration. The school district's
22 administrative assistant errantly and retroactively changed Baumann's PEER form to
23 state that Baumann was classified as "Teacher on Special Assignment (TOSA)" in an
24 attempt to circumvent the required proper licensing. The "TOSA" status was not
25 accepted by TSPC. On or around June 2011, the Rouge River School District re-
26 assigned Baumann to a teaching position that complied with her license.

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28 IT IS SO STIPULATED:

29 *Rhonda Rae Baumann* 6-22-12
30 _____ Date
31 Rhonda Rae Baumann

32 *Victoria Chamberlain* 6-19-12
33 _____ Date
34 Victoria Chamberlain, Executive Director
35 Teacher Standards and Practices Commission

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CONCLUSION OF LAW

Rhonda Rae Baumann’s Emergency School Counselor License expired on August 18, 2006. Baumann did not request an extension, nor did she apply for the Initial I School Counselor License. During the 2007-2008 school year, Baumann was employed as an “Academic/Scholarship Advisor. Baumann was advised on May 20, 2008, that her employment as an “Academic/Scholarship Advisor“ had been reviewed and did require a valid School Counselor License. Baumann continued to be employed in a position that required a valid counseling license from 2008 through 2010, until reassigned to a physical education position during the 2010-2011 school year. This conduct constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*); OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(2)(a) (*Apply for, accept, offer, or assign a position of responsibility only on the basis of professional qualifications, and will adhere to the conditions of a contract or the terms of the appointment*), OAR 584-020-0040(4)(r) (*Knowingly working without a license*).

The Commission’s authority to impose discipline in this matter is based upon

ORS 342.175.

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ORDER

The Commission adopts and incorporates herein the above findings of fact and conclusions of law, and based thereon, imposes a Public Reprimand on Rhonda Rae Baumann’s Initial I Teaching License.

Issued and dated this 20th day of July, 2012.

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

By 
Victoria Chamberlain, Executive Director