

1 force or duress, enters into this Stipulation and Final Order and consents to issuance and entry
2 of the Stipulated Final Order below; (vi) he states that no promises or representation has been
3 made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an
4 attorney regarding this Stipulation and Final Order and has been fully advised with regard to his
5 rights thereto, or waives any and all rights to consult with an attorney prior to entering into this
6 Stipulation and Final Order and issuance and entry of the Stipulated Final Order below.

7 **STIPULATION OF FACTS**

8 1. Mr. Swift has been licensed by the Commission since August 26, 1997. Mr. Swift
9 currently holds an Initial Teaching License valid May 22, 2006, through May 21, 2010, with
10 endorsements in Social Studies and Special Education.

11 2. Mr. Swift began his employment with the Central Curry School District on September
12 1, 1998. He currently serves as a Social Studies Teacher and Head Football Coach at Gold
13 Beach High School.

14 3. During the 2004-2005 school year the Curry County Sheriff's Office conducted a
15 sexual abuse investigation regarding the girls' basketball coach at Gold Beach High School.
16 During the criminal investigation Mr. Swift contacted the female student/victim as she was
17 entering his classroom for US History and told her, "...relax things are going to be okay. You
18 need to cooperate with the people. You are going to be okay, you are going to get through this.
19 You have probably heard this before, but you know, sex does not need to be part of teenage
20 relationships. Teenage relationships should be about companionship, friendships and enjoying
21 each other. Teenage girls need to keep their legs crossed." Mr. Swift explained that made
22 these comments to the student/victim because he was concerned about her.

23 4. Additionally, after a football game on October 28, 2005, Mr. Swift angrily confronted
24 two female teachers in the gym prior to the homecoming dance and said, "...we almost lost the
25 fucking game. You guys are through screwing with the players while they are trying to play

1 games." Mr. Swift explained that these teachers involved some of his football players in half-
2 time home coming activities.

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

4 
5 Kevin Richard Swift

6 7/3/06
Date

7 
8 Victoria Chamberlain, Executive Director
9 Teacher Standards and Practices Commission

10 7-17-06
Date

11 **CONCLUSIONS OF LAW**

12 Kevin Richard Swift violated OAR 584-020-0040(4)(n) as that rule incorporates OAR
13 584-020-0010(5) and OAR 584-020-0030(2)(b) by failing to demonstrate a commitment to use
14 professional judgment and skill in communicating with a female student and female staff
15 members. This misconduct constitutes Gross Neglect of Duty. The Commission has the
16 authority to impose discipline in this matter under ORS 342.175 through 342.430 and OAR
Chapter 584.

17 **FINAL ORDER**

18 The Commission hereby adopts and incorporates herein the above findings of fact and
19 imposes a Public Reprimand on Kevin Richard Swift. This Order shall serve as the Public
20 Reprimand.

21 Furthermore, the Commission places Mr. Swift on Probation for a period of two (2) years
22 from the date of this order, subject to the condition that he will comply with all Standards for
23 Competent and Ethical Performance of Oregon Educators pursuant to Oregon Administrative
24 Rules Chapter 584, Division 020.

25 Violation of any of the terms of probation shall constitute an independent basis for the
26 Commission to revoke Mr. Swift's teaching license or otherwise impose discipline, after first
27 providing Mr. Swift with notice and opportunity for hearing.

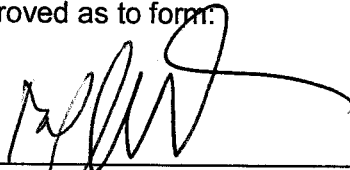
28 Issued and dated this 4 day of August, 2006.

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TEACHER STANDARDS AND PRACTICES COMMISSION
STATE OF OREGON

By 
Victoria Chamberlain, Executive Director

Approved as to form:


Ralph Wiser OSB# 81423
Attorney for Kevin Richard Swift

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