

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

3 In the Matter of the  
4 Teaching License of

5 **NEAL CURTIS SCHMIDLIN**

Case No. 111638

**STIPULATION OF FACTS, ORDER OF  
SUSPENSION AND PROBATION**

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8 On or about November 29, 2000, the Teacher Standards and Practices Commission  
9 (“Commission”) received a complaint from Charles F. Klobes, et al., patrons of Scappoose  
10 School District alleging that Neal Curtis Schmidlin (“Schmidlin”) violated the Standards of  
11 Competent and Ethical Performance of Oregon Educators at Oregon Administrative Rules  
12 Chapter 584, Division 020.

13 After review of the matters alleged, Schmidlin and the Commission agree that their  
14 respective interests, together with the public interest, are best served by a stipulation to certain  
15 facts and the imposition of a six (6) month suspension of Schmidlin’s teaching license. The  
16 Commission will impose probation for a period of four (4) years upon reinstatement of his  
17 teaching license. This Order sets forth the facts upon which the parties have agreed and the  
18 sanction to be imposed. Schmidlin and the Commission stipulate that the following facts are true  
19 and that there are sufficient facts in the Commission’s file and records to support the findings of  
20 fact and conclusions of law contained in this Order. In entering into this stipulation, Schmidlin  
21 waives the right to a hearing to contest the findings of fact, conclusion of law, and Order set forth  
22 below. Schmidlin understands that the probation and suspension will be subject to specific  
23 conditions.

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## STIPULATION OF FACTS

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2 1. The Commission has licensed Schmidlin as a teacher since December 20, 1994.  
3 Schmidlin currently holds a Basic Teaching License valid until April 13, 2005, with a Basic  
4 Social Studies Endorsement.

5 2. Schmidlin was employed as a teacher and a coach at Ilwaco High School, Ilwaco,  
6 Washington for the 1996-1997 school year. In October 1996, Schmidlin demonstrated and  
7 expressed an inappropriate and unprofessional interest in TO, a seventeen-year old female  
8 student in his class. Schmidlin telephoned her residence repeatedly and expressed a romantic  
9 interest in her. In November 1996, Schmidlin asked TO to meet him in Astoria, Oregon.  
10 Schmidlin and TO ate dinner at his residence in Astoria, Oregon. Schmidlin told TO that he  
11 could not date her until after she graduated. When confronted by the student's parents and  
12 Principal Rick Pass, Schmidlin admitted telephoning TO and admitted expressing a romantic  
13 interest in her.

14 3. During the 1997-1998 school year while teaching at Scappoose High School,  
15 Schmidlin shared his personal opinions to a female student, DH, concerning her appearance and  
16 her hair. He also told DH he had a dream about her wearing a summer dress. Schmidlin denies  
17 that he engaged in this conduct, however, he stipulates that there is sufficient evidence contained  
18 in the Commission's files and records to make the finding contained in this paragraph, and the  
19 Commission so finds.

20 4. During the 1999-2000 school year, AC, a female student, was a senior and served as an  
21 aide in Schmidlin's class. Schmidlin shared his personal opinion with AC about her appearance.  
22 Schmidlin told AC that he wanted to date her after she graduated. Schmidlin took AC into the  
23 female locker room alone (which he had to unlock with his personal key), put his arm around  
24 her, told her that he had feelings for her and had fantasies about her. Schmidlin wrote notes to  
25 AC expressing an inappropriate and unprofessional interest in her. Schmidlin denies that he  
26 engaged in this conduct, however, he stipulates that there is sufficient evidence contained in the

1 Commission's files and records to make the finding contained in this paragraph, and the  
2 Commission so finds.

3 5. Schmidlin accepts responsibility for his behavior. He is aware of and remorseful for  
4 his failure to set appropriate student-teacher boundaries and acknowledges his behavior was  
5 inappropriate.

6 This stipulation is contingent upon approval and adoption of the Order by the  
7 Commission. If the Commission does not adopt this Order, neither Schmidlin nor the  
8 Commission are bound by these stipulations and Schmidlin retains all rights to a hearing on the  
9 allegations.

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11 IT IS SO STIPULATED:

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13   
14 Neal Curtis Schmidlin

7/23/04  
Date

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16   
17 Victoria Chamberlain, Executive Director  
Teacher Standards and Practices Commission

8-02-04  
Date

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**CONCLUSIONS OF LAW**

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20 1. Neal Curtis Schmidlin failed to maintain an appropriate professional student-teacher  
21 relationship with TO, a seventeen-year old female student attending Ilwaco High School during  
22 the 1996-1997 school year in violation of OAR 584-020-0400(4)(o) as it incorporates OAR 584-  
23 020-0035(1)(c). This conduct constitutes Gross Neglect of Duty. The Commission's authority  
24 to impose discipline in this matter is based upon ORS 342.175.

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26 2. Schmidlin failed to maintain an appropriate professional student-teacher relationship  
with DH, a female student attending Scappoose High School during the 1997-1998 school year

1 in violation of OAR 584-020-0400(4)(o) as it incorporates OAR 584-020-0035(1)(c). This  
2 conduct constitutes Gross Neglect of Duty. The Commission's authority to impose discipline in  
3 this matter is based upon ORS 342.175.

4 3. Schmidlin failed to maintain an appropriate professional student-teacher relationship  
5 with AC, a female student attending Scappoose High School during the 1999-2000 school year  
6 in violation of OAR 584-020-00040(4)(o) as it incorporates OAR 584-020-0035(1)(c). This  
7 conduct constitutes Gross Neglect of Duty. The Commission's authority to impose discipline in  
8 this matter is based upon ORS 342.175.  
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### 10 ORDER

11 The Commission adopts the above Stipulation of Facts and suspends the Oregon  
12 Teaching License of Neal Curtis Schmidlin for a period of six (6) months. At the end of this  
13 suspension period, Schmidlin's teaching license shall be reinstated upon complete application  
14 pursuant to OAR 584-050-0015(3) and verification that Schmidlin has undergone an evaluation  
15 by a psychotherapist or medical professional acceptable to the Commission, and the evaluator  
16 submits a written report to the Commission attesting that Schmidlin is fit to work with children  
17 and teenagers, that he understands and can comply with appropriate teacher-student boundaries,  
18 and that he is unlikely to engage in similar behavior in the future. Any costs associated with the  
19 assessment or treatment will be Schmidlin's responsibility.  
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21 Upon reinstatement of his teaching license, Schmidlin shall be placed on probation for a  
22 period of four (4) years and subject to the condition that he comply with all Standards for  
23 Competent and Ethical Performance under Oregon Administrative Rules Chapter 584, Division  
24 20.  
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1 Violation of the terms of this probation may constitute an independent basis for the  
2 Commission to impose discipline, up to and including revocation of Schmidlin's teaching license  
3 subject to Schmidlin's right to a hearing on the issue of whether he violated probation.  
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5 Dated this 02 <sup>August</sup> day of ~~July~~, 2004.  
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8 TEACHER STANDARDS AND PRACTICES COMMISSION

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11 Victoria Chamberlain, Executive Director  
Teacher Standards and Practices Commission

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13 APPROVED AS TO FORM:

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16 Thomas K. Doyle, OSB #97251  
17 Attorney for Neal Curtis Schmidlin  
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