

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

3 In the Matter of the) STIPULATION OF FACTS,
4 Teaching License of) FINAL ORDER OF SUSPENSION
5 RENEE CHRISTINE SCHWAB) AND PROBATION

6 On or about May 30, 2008, the Teacher Standards and Practices Commission
7 (Commission) received a report from Tigard-Tualatin School District, indicating that Renee
8 Christine Schwab (Schwab) had potentially violated numerous Commission regulations.

9 After review of the matters alleged, Ms. Schwab and the Commission agree that their
10 respective interests, together with the public interest, are best served by a stipulation to certain
11 facts and the imposition of a one (1) year suspension of licensure followed by a four (4) year
12 period of probation upon reinstatement of Licensure. Ms. Schwab understands that the
13 probation will be subject to specific conditions.

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

18 By signing below, Ms. Schwab acknowledges, understands, stipulates, and agrees to
19 the following: (i) she has been fully advised of her rights to notice and a hearing to contest the
20 findings of fact, conclusions of law, and order set forth below, and fully and finally waives all
21 such rights and any rights to appeal or otherwise challenge this Stipulation of Facts, Order of
22 Suspension and Probation (Stipulation and Final Order); (ii) this Stipulation and Final Order is a
23 public document and disclosed to the public upon request by the Commission; (iii) this
24 Stipulation and Final Order is contingent upon and subject to approval and adoption by the
25 Commission. If the Commission does not approve and adopt this Stipulation and Final Order,
26 then neither Ms. Schwab nor the Commission are bound by the terms herein; (iv) she has fully
27 read this Stipulation and Final Order, and understands it completely; (v) she voluntarily, without
28 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) she states that no promises or representation has
2 been made to induce her to sign this Stipulation and Final Order; and (vii) she has consulted
3 with an attorney regarding this Stipulation and Final Order and has been fully advised with
4 regard to her rights thereto, or waives any and all rights to consult with an attorney prior to
5 entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final
6 Order below. This stipulation is contingent upon approval and adoption of the Order by the
7 Commission. If the Commission does not adopt this Order, neither Ms. Schwab nor the
8 Commission are bound by these Stipulations and Ms. Schwab retains all rights to a hearing on
9 the allegations.

10 **STIPULATION OF FACTS**

- 11 1. The Commission has licensed Ms. Schwab since August 3, 2006. Ms. Schwab currently
12 holds an Initial I Teaching License authorized to teach Music in grades K-12 issued
13 August 3, 2006, valid through October 1, 2009.
- 14 2. During the events that are the subject of this agreement, Ms. Schwab was employed at
15 Twality Middle School in the Tigard-Tualatin School District.
- 16 3. On April 7, 2008, while working as a music teacher Ms. Schwab administered a quiz to
17 7th and 8th grade students. Prior to the quiz, Ms. Schwab's students were engaged in a
18 discussion about a student plot reported in the news media regarding how students had
19 plotted to hurt or kill a teacher. Ms. Schwab attempted to make light of the topic and
20 offhandedly suggested that if students completed the quiz early, they could, for extra
21 credit, depict on the quiz how the students would plot her death. No extra credit was
22 actually given. Ms. Schwab later realized the inappropriateness of her action and
23 apologized to the students.
- 24 4. On April 28, 2008 Ms. Schwab asked her 7th grade class to vote on whether to take a
25 nap, or "rest" time, for a portion of the class hour. After the class voted in support of the
26 nap time, Ms. Schwab permitted a nap time, or rest time, of approximately twenty (20)

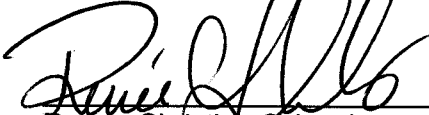
1 minutes duration, during which time she also reclined on a couch and closed her eyes
2 and rested.

3 5. During the 2007-2008 school year, Ms. Schwab drew attention to a 7th grade student's
4 speech impediment (a lisp) by inviting the class to sing his birthday song with a lisp.


5 While Ms. Schwab (who has a history of speech-related issues herself) had a good
6 relationship with the student, and the student and Ms. Schwab had previously been very
7 open with each other about their speech issues, Ms. Schwab later recognized and
8 regretted her error in judgment.

9 6. During the fall of the 2007-2008 school year, Ms. Schwab taped a 7th grade male student
10 to a chair at the student's request and following Ms. Schwab's challenge that even if
11 restrained he could not stay seated. Accepting the challenge, the student then said he
12 wanted to be restrained. The student wrapped tape around his legs. Ms. Schwab
13 wrapped tape around the chair and the student's shoulder, chest and arms. The student
14 attempted to free himself and appeared frustrated. Ms. Schwab allowed him to free
15 himself, after he refused her offer of help, which took about twenty minutes.

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

17
18 
19 Renee Christine Schwab

7/17/09
Date

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

7-7-09
Date

24

25 **CONCLUSION OF LAW**

26 Renee Christine Schwab, suggesting as a joke that students could receive extra credit
27 for a quiz, invited students to depict how they would plot her death. Ms. Schwab allowed
28 students to vote on taking a nap in class and then allowed some students to sleep and did

1 herself rest during class time. Ms. Schwab taped a 7th grade student to his chair at the
2 student's request. This conduct constitutes gross neglect of duty in violation of OAR 584-020-
3 0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*) and OAR 584-
4 020-0015(2)(e) (*Skill in the selection and use of teaching techniques conducive to student*
5 *learning*). Ms. Schwab invited the class to sing in a manner that highlighted the speech
6 impediment of a student in her class. This conduct constitutes gross neglect of duty in violation
7 of OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(1) (*Recognize the worth and*
8 *dignity of all persons and respect for each individual*) and OAR 584-020-0010(5) (*Use of*
9 *professional judgment*). The Commission has the authority to impose discipline in this matter
10 under ORS 342.120 through 342.430 and OAR Chapter 584.

11 FINAL ORDER

12 The Commission adopts and incorporates herein the above findings of fact and
13 conclusion of law, based thereon, hereby suspends the Initial I Teaching License of Renee
14 Christine Schwab for a period of one (1) year. At the end of this suspension period Ms.
15 Schwab's Initial I Teaching License will be reinstated upon:

16 1. Submission of a complete application and fees pursuant to OAR 584-050-0015(3);

17 and

18 2. Submission of documentation that she has undergone an evaluation by a
19 psychotherapist or medical professional acceptable to the Commission, and the evaluator
20 submits a written report to the Commission attesting (a) Ms. Schwab is fit to work with children
21 and teenagers, and (b) there is a high probability she will not engage in similar inappropriate
22 behavior. Any costs associated with the assessment or treatment will be the responsibility of
23 Ms. Schwab.

24 3. Submission of documentation that she has taken an education course that addresses
25 the standards in OAR 584-017-0100(2).

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1 Upon the reinstatement of licensure, Ms. Schwab shall be placed on probation by the
2 Commission for a period of four (4) years, subject to the following conditions:

3 1. Ms. Schwab shall substantially comply with any treatment or counseling as
4 recommended by the individual who completed the evaluation described above. Ms. Schwab
5 shall authorize and sign any consent forms as necessary for the treatment provider or counselor
6 to furnish records to or discuss Ms. Schwab's treatment with the Commission.

7 2. Ms. Schwab shall comply with all Standards for Competent and Ethical Performance
8 of Oregon Educators under Oregon Administrative Rules, Chapter 584, Division 020.

9 3. Ms. Schwab shall provide information as requested by the Commission to verify that
10 she has complied with the conditions of probation, including a statement from a future
11 employing district that she has complied with the Standards for Competent and Ethical
12 Performance of Oregon Educators.

13 Violation of the terms of this probation may constitute an independent basis for the
14 Commission to impose discipline, up to and including revocation of Ms. Schwab's teaching
15 license subject to Ms. Schwab's right to a hearing on the issue of whether she violated
16 probation.

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

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

20
21 By 
22 Victoria Chamberlain, Executive Director

[Acct. #121559]

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