

- 1 2. On August 22, 2019, the Commission received a report from MCS D alleging Schlaht
2 had engaged in conduct that may be considered gross neglect of duty and/or gross
3 unfitness. Specifically, that Schlaht used unnecessary physical contact with a
4 student. During the Commission's investigation into Schlaht's alleged misconduct,
5 Schlaht was unwilling to participate in the investigatory process in violation of state
6 statute and administrative rule.
- 7 3. Investigation determined that on December 3, 2018, while substitute teaching at
8 Irrigon Junior/Senior High School, Schlaht lightly kicked a disruptive student on the
9 leg when she found the student sitting in her chair. A few minutes later, Schlaht told
10 the same student to be quiet and lightly slapped the student on the head. Local law
11 enforcement investigated the matter and referred their investigation to the Morrow
12 County District Attorney's Office. On February 5, 2019, Schlaht was convicted by the
13 Justice Court for Morrow County Irrigon District on a no contest plea of ORS
14 166.065 Harassment. The court found that Schlaht did unlawfully and intentionally
15 harass and annoy the student by subjecting the student to offensive physical contact.
- 16 4. On August 2020, the Commission sent Schlaht a request to interview by Certified
17 and First Class mail to an address the investigator obtained through an online
18 locator program. On August 24, 2020, Schlaht acknowledged receipt of the letter by
19 signing the Certified mail return receipt. The First Class letter sent to the same
20 address was not returned to the Commission and was assumed delivered. Schlaht did
21 not respond to the investigator as directed in the letter within fourteen (14) days. On
22 September 21, 2020, the investigator emailed Schlaht a digital version of the
23 interview request with instructions to contact the investigator immediately. Schlaht
24 did not respond. On September 21, 2020, the investigator attempted to contact
25 Schlaht by telephone with the number Schlaht had provided the Commission.
26 Schlaht did not answer the call and there was no provision for the investigator to
27 leave a voicemail. On September 23, 2020, the investigator completed their report
28 without Schlaht's participation.

29 **CONCLUSIONS OF LAW**

30 Donna D. Schlaht's conduct described above constitutes gross neglect of duty in

1 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates, OAR 584-
2 020-0010(5) (*Use professional judgement*), OAR 584-020-0020(2)(d)(*Skill in the*
3 *supervision of students*), OAR 584-020-0025(2)(e) (*Using district lawful and*
4 *reasonable rules and regulations*); OAR 584-020-0040(4)(d) (*Unreasonable physical*
5 *force against students, fellow employees, or visitors to the school, except as permitted*
6 *under ORS 339.250*); and OAR 584-020-0040(4)(p)(*Subject to the exercise of any legal*
7 *right or privilege, failure or refusal by an educator under investigation to respond to*
8 *requests for information, to furnish documents or to participate in interviews with a*
9 *Commission representative relating to a Commission investigation*).

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11 The Commission's authority to impose discipline in this matter is based upon
12 ORS 342.175.

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FINAL ORDER

15 The Commission hereby revokes Donna D. Schlaht's Oregon educator licensure.


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17 IT IS SO ORDERED THIS 11th day of June, 2021.

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TEACHER STANDARDS AND PRACTICES COMMISSION

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By: 
Dr. Anthony Rosilez, Executive Director

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NOTICE OF APPEAL OR RIGHTS

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24 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
25 BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE
26 SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF
27 ORS 183.482 TO THE OREGON COURT OF APPEALS.