

COPY

BEFORE THE
BOARD OF CLINICAL SOCIAL WORKERS
OF THE STATE OF OREGON

In the Matter of

SCHAILER V. GIONSON, LCSW,
Respondent.

**STIPULATION FOR VOLUNTARY
SURRENDER OF CLINICAL SOCIAL
WORKER LICENSE IN LIEU OF
REVOCATION, ASSESSMENT OF COSTS
and FINAL ORDER**

Case No. 2005-04

STIPULATION

1.

The Board of Clinical Social Workers (Board) is the agency responsible for licensing, regulating, and disciplining Licensed Clinical Social Workers (LCSW) and certified Clinical Social Worker Associates (CSWA) in the State of Oregon.

2.

At all times material herein, Respondent Schailer V. Gionson, LCSW (hereafter "Respondent") has been licensed with the Board as a Licensed Clinical Social Worker (LCSW), License No. L003298. Respondent's address of record is 16603 N.E. 20th Street, Vancouver, Washington 98684. Respondent's date of birth is [REDACTED].

3.

At all times material herein, Respondent was employed in a position of trust to provide clinical social work services within the meaning of ORS 675.510(2) to children at Edgefield Children's Center, 2408 SW Halsey Street, Troutdale, Oregon 97060.

4.

At all times material herein, Respondent was in a position of trust or authority with AKP.

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5.

On or about December 16, 2004, the Prosecuting Attorney for Clark County, Washington issued an Information to Respondent (hereafter "Information") in the matter of *State of Washington v. Schailar Veene Gionson*, Superior Court of Washington, Clark County, Case No. 04-1-0057-2 (hereafter "*State v. Gionson*"). The Information alleged that on or about April 28, 2004, Respondent committed the crime of Child Molestation in the Second Degree contrary to RCW 9A.44.086 by having sexual contact with AKP (Female DOB [REDACTED]), who at the time was at least twelve (12) years old but less than fourteen (14) years old, and not married to Respondent, and Respondent was at least thirty-six (36) months older than the victim.

6.

On or about July 27, 2005, License signed and submitted a Statement of Defendant on Plea of Guilty in *State v. Gionson* wherein Respondent plead guilty to the crime of Child Molestation in the Second Degree as charged and made the following statement of what made Respondent guilty of this crime:

On or about April 28, 2004, I did have sexual contact with AKP (a minor female) who was at least twelve years old but less than fourteen years old and who is not married to me. This happened in Clark County, Washington.

7.

On or about September 13, 2005, a Judgment and Sentence was entered in *State v. Gionson* finding Respondent guilty based on the plea submitted. Respondent has been convicted in the State of Washington of a crime that is a Class B felony that requires sex offender registration for fifteen (15) years after the date of conviction per RCW 9A.44.130 and 9A.44.140.

8.

Respondent has been convicted of a crime in *State v. Gionson* that would be considered a felony in Oregon under ORS 163.427 and 163.305.

9.

On November 1, 2005, the Board issued and served on Respondent a Notice of Proposed Disciplinary Action and Right to Hearing (Notice) proposing to: (a) revoke the Licensed Clinical Social Worker license of Respondent for having been convicted of a crime in the State of Washington that is a felony in Oregon, pursuant to ORS 675.540(1)(a) and 675.540(2)(a); and (b) assess against Respondent the Board's costs of this disciplinary process, pursuant to ORS 675.595(17).

10.

The Notice was served on Respondent by regular and certified U. S. Mail addressed to Respondent at Respondent's address of record with the Board stated hereinabove. The Notice informed Respondent of the opportunity for a hearing if requested in writing within sixty (60) days of mailing of the Notice. The Notice further informed Respondent that if a written request for hearing is not received within this 60-day period, then Respondent's right to a hearing shall be considered waived. Respondent received the Notice and has not yet requested a hearing. The time to request a hearing does not expire until January 3, 2005.

11.

Respondent admits to everything stated in paragraphs 1 through 10 above.

12.

The parties desire to settle this matter by entering into this Stipulation for Voluntary Surrender of Respondent's LCSW license in lieu of revocation and entry of the Final Order below, pursuant to ORS 183.415(5), ORS 675.510 and 675.600, and OAR Chapter 877.

Respondent acknowledges and understands the following:

a. The crime and the conduct resulting in the crime that Respondent was convicted of in *State v. Gionson* described in this Stipulation and Final Order is considered by the Board to be of a very serious nature, which warrants revocation.

b. This Stipulation and Final Order will be submitted to the Board for approval and is subject to and conditioned upon acceptance and approval by the full Board.

c. Respondent is prohibited after issuance of the Final Order below from using the title of or purporting to be a Licensed Clinical Social Worker, or using any other title that includes those words, unless and until Respondent is issued a new LCSW license. Respondent is further prohibited from applying for a new LCSW license for one year from the date of issuance of the Final Order below, pursuant to ORS 675.550. If, after one year from the date of issuance of the Final Order, Respondent reapplies to the Board to become a Licensed Clinical Social Worker or a Clinical Social Work Associate and Respondent otherwise meets all the requirements for licensure, Respondent understands that the Board may deny said application or place Respondent on probation and impose conditions or limits on the scope of Respondent's clinical social work practice as part of any reinstatement, pursuant to ORS 675.540(2).

d. This Stipulation and Final Order is a public document and a matter of public discipline, pursuant to OAR 877-020-0031(2) and other applicable authority. This document must be disclosed, published, and reported in accordance with ORS 676.175(3)(a)(D), OAR 877-040-0050(6), and Oregon Public Records Law. In particular, in accordance with OAR 877-040-0050(6), notice of this action will be sent to the Oregon Chapter of the National Association of Social Workers (NASW) and published in the next edition of the Directory of Clinical Social Work Associates and Licensed Clinical Social Workers, the official newspaper of the county

where the Respondent practices and in Marion County, and the Association of Social Work Boards (ASWB) Disciplinary Action Reporting System (DARS).

e. Respondent has been fully advised of Respondent's rights to notice and a contested case hearing under the Oregon Administrative Procedures Act (ORS Chapter 183), and fully and finally waives all such rights and any rights to appeal or otherwise challenge this Stipulation and Final Order.

f. Any violation of this Stipulation and Final Order is grounds for further action against Respondent. The Board has the right to take action against Respondent to enforce this Stipulation and Final Order, for any violations of thereof, or for other causes or violations of ORS 675.510 to 675.600 or OAR Chapter 877 not stated herein.

g. Respondent has fully read this Stipulation and Final Order and understands it completely. Respondent voluntarily, without any force or duress, enters into this Stipulation and consents to issuance and entry of the Final Order below. Respondent states that no promises or representation not stated herein have been made to induce Respondent to sign this Stipulation. Respondent has consulted with an attorney regarding this Stipulation and Final Order and has been fully advised in regards thereto, or waives any and all rights to consult with an attorney prior to entering into this Stipulation and issuance and entry of the Final Order below.

IT IS SO STIPULATED AND AGREED TO this 27th day of DECEMBER :

Signature on File in Board Office

SCHAILER V. GIONSON

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FINAL ORDER

NOW, THEREFORE, based on the Stipulation by Schailer V. Gionson (Respondent) above, which is incorporated herein by this reference, and pursuant to ORS 183.415(5), ORS 675.540, ORS 675.595, and OAR 877-020-0031, it is hereby **ORDERED** that:

(1) The above Stipulation for Voluntary Surrender of Clinical Social Work License in lieu of revocation submitted by Respondent is accepted;

(2) Respondent shall within ten (10) days of issuance of this Final Order surrender to the Board Respondent's Licensed Clinical Social Worker license;

(3) Respondent is, *effective immediately*, prohibited from using the title of or purporting to be a Licensed Clinical Social Worker, or using any other title that includes those words, unless and until Respondent is issued a new Licensed Clinical Social Worker license;

(4) Respondent is further prohibited from reapplying for a new Licensed Clinical Social Worker license or Clinical Social Worker Associate certificate for one year from the date of issuance of this Final Order, pursuant to ORS 675.550; and

(5) If, after one year from the date of issuance of the Final Order, Respondent reapplies to the Board to become a Licensed Clinical Social Worker or a Clinical Social Work Associate and Respondent otherwise meets all the requirements for licensure, the Board may deny said application or place Respondent on probation and impose conditions or limits on the scope of Respondent's clinical social work practice as part of any reinstatement, pursuant to ORS 675.540(2).

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(6) The Board's costs of the disciplinary process in the sum of \$1,136.30 to date are **ASSESSED** against Respondent, pursuant to ORS 675.595(17).

ISSUED this 17th day of January 2006.

BOARD OF CLINICAL SOCIAL WORKERS
State of Oregon

Signature on File in Board Office

By: _____
Mark F. Oldham, Chair