

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
2 OF THE STATE OF OREGON
3

4 In the Matter of the Educator) DEFAULT ORDER OF
5 License of) REVOCATION OF
6 TAMERA JEAN KRONBERG) LICENSURE
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9 On February 29, 2016, the Teacher Standards and Practices Commission
10 (Commission) issued a Notice of Opportunity for Hearing to Tamera Jean Kronberg
11 (Kronberg) in which the Commission charged her with Gross Neglect of Duty. The Notice
12 was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7015 0640 0004 7539
13 8148 to the address on file with the Commission. The Notice designated the Commission file
14 as the record for purposes of proving a prima facie case. The Certified Mail was returned
15 "Signed" to the Commission on March 4, 2016. The first class mail was not returned to the
16 Commission. The Notice of Opportunity of Hearing, dated February 29, 2016, and signed by
17 Victoria Chamberlain, then Executive Director, stated:

18 "IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY
19 PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED
20 UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR
21 REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF YOU
22 FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER
23 OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF
24 YOUR LICENSE OR OTHER DISCIPLINE."
25

26 On March 2, 2016, Kronberg requested a hearing. On April 22, 2016, a pre-hearing
27 conference was conducted and a hearing date of November 1 and 2, 2016 was set. On
28 September 22, 2016, through Kronberg's attorney, Kronberg withdrew her request for a
29 hearing. The Commission, therefore, finds Kronberg to be in default and enters the
30 following findings of fact, conclusions of law, and final order, based on the files and records
31 of the Commission concerning this matter.

32 **FINDINGS OF FACT**

- 33 1. Tamera Jean Kronberg has been licensed by the Commission since September 5,
34 1984. Kronberg's Standard Teaching License, with an endorsement in Standard
35 Exceptional Learner II (018), is valid from February 24, 2014, through February 23,
36 2019. During all relevant times, Kronberg was employed by the Clackamas
37 Education Service District (CESD).

1 2. On April 3, 2014, the Commission received a report from CESD indicating Kronberg
2 had committed acts of unprofessional conduct in the area of unnecessary physical
3 force with students. Investigations by the Commission and school officials identified
4 the following unprofessional conduct:

5 a. On or about February 13, 2014, witnesses reported observing Kronberg
6 redirect a seven-year-old student, with severe cognitive disabilities, by an
7 unapproved and unnecessary restraint method. Witnesses described
8 Kronberg to place her hands on the sides of the student's head, below the ears,
9 and lift him approximately one foot off the ground and then carry him by his
10 head approximately four feet across the room. CESD indicates that Kronberg's
11 employed method appeared dangerous and is not an approved restraint
12 method. CESD reported Kronberg's actions to authorities as a possible child
13 abuse incident.

14 b. In the course of the CESD investigation into the events of February 13, 2014,
15 officials learned of another inappropriate restraint incident. Educational
16 assistants reported observing Kronberg, just days prior to the February 13,
17 2014, event, wrapping / folding the same student into a mat and applying
18 pressure to the mat. Witnesses described Kronberg as sitting on the mat
19 while the student was held inside. CESD indicates that this restraint method
20 is not an approved method and could be dangerous to the student. During the
21 interview process, Kronberg admitted that using the mat in this manner was
22 not part of her training.

23 3. On March 5, 2014, Kronberg resigned her employment with CESD effective June 6,
24 2014, and Kronberg remained on administrative leave until that date.

25 4. Reports indicate that the child abuse report regarding Kronberg's conduct was closed
26 on intake and no related action was taken by DHS.

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1 **CONCLUSIONS OF LAW**

2 Tamera Kronberg's conduct described in sections 2 (a) and (b) above, constitutes
3 gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it
4 incorporates OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-
5 0025(2)(e) (*Using district lawful and reasonable rules and regulations*); and OAR 584-
6 020-0040(4)(d) (*Unreasonable physical force against students, fellow employees, or*
7 *visitors to the school, except as permitted under ORS 339.250*).
8

9 The Commission's authority to impose discipline in this matter is based upon ORS
10 342.175.

11 **FINAL ORDER**

12 The Commission hereby revokes Tamera Jean Kronberg's Oregon educator license.
13 IT IS SO ORDERED THIS 4th day of October, 2016.

14 TEACHER STANDARDS AND PRACTICES COMMISSION

15 By: Monica Beane
16 Dr. Monica Beane, Executive Director
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18 **NOTICE OF APPEAL OR RIGHTS**

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

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