## BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON

1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
4 5 6 7	In the Matter of the)DEFAULT ORDER OFEducator License of)REVOCATION OF RIGHTLAWRENCE E. SCHUMACHER)TO APPLY FOR LICENSURE
8	On April 28, 2023, the Teacher Standards and Practices Commission
9	(Commission) issued a Notice of Opportunity for Hearing to Lawrence E. Schumacher
10	(Schumacher) in which the Commission charged him with Gross Neglect of Duty and/or
11	Gross Unfitness. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail
12	Receipt 7018 1830 0001 6178 6032 to the address on file with the Commission. The
13	Notice designated the Commission file as the record for purposes of proving a prima
14	facie case. The regular first class and Certified Mail were not returned to the
15	Commission and assumed delivered. The Notice of Opportunity of Hearing, dated April
16	28, 2023, and signed by Anthony Rosilez, Executive Director, stated:
17 18 19 20 21 22 23 24 25 26	"IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING, WITHDRAW YOUR REQUEST FOR HEARING, OR IF YOU FAIL TO APPEAR AT A HEARING, OR NOTIFY THE COMMISSION THAT YOU WILL NOT APPEAR AT HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."
27	On May 17, 2023, Schumacher notified the Commission by email that he was not going
28	to participate in a hearing. The Commission, therefore, finds Schumacher to be in
29	default and enters the following findings of fact, conclusions of law, and final order,
30	based on the files and records of the Commission concerning this matter.
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32	FINDINGS OF FACT
33	1. The Commission has licensed Schumacher since July 30, 1990. Schumacher held
34	a Principal License, with an endorsement in Principal (PK-12), valid from May 15,
35	2019, through August 9, 2022. During all relevant times, Schumacher was
36	employed by the North Clackamas School District (NCSD) or at Kihei Elementary
37	School (KES) in Maui, Hawaii.

- 2. On June 2, 2020, the Commission received information from the Oregon 2 Department of Human Services (DHS) alleging Schumacher may have committed 3 acts which constitute gross neglect of duty and/or gross unfitness. Specifically, 4 DHS reported Schumacher was alleged to have engaged in inappropriate 5 touching of a minor-aged female student while he was employed at Ardenwald 6 Elementary School (AES), NCSD, during the 2015-16 school year. The DHS 7 information also mentioned Schumacher was alleged to have engaged in 8 9 inappropriate touching of a minor-aged female student while he was employed at KES in Hawaii, during the 2019-20 school year. 10
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3. On July 19, 2022, the Commission investigator attempted to contact Schumacher 12 via phone to schedule an interview. Schumacher's phone was unable to accept a 13 voicemail. On September 13, 2022, the Commission investigator sent a letter 14 15 requesting an interview. The letter was sent via First-class Mail and Certified Mail to the address on file with the Commission. On September 29, 2022, the 16 Commission investigator received a letter from Schumacher, dated September 21, 17 2022, in which Schumacher acknowledged receiving the Certified Mail letter. In 18 19 the letter, Schumacher wrote a brief perspective on the matter with the NCSD and that further questions should be directed to his attorney. On September 29, 20 2022, the Commission investigator contacted Schumacher's attorney's office and 21 was told the attorney represented Schumacher and would contact the 22 23 investigator. On November 11, 2022, the Commission investigator sent a letter to the attorney requesting an interview with Schumacher. The letter was sent via 24 First-class Mail and Certified Mail. The mail was returned as Schumacher's 25 attorney's address had changed. On November 22, 2022, the Commission 26 investigator sent a letter to Schumacher's attorney requesting an interview with 27 Schumacher. The letter was sent via First-class Mail and Certified Mail. On 28 December 5, 2022, the US Postal Service verified the Certified letter was received 29 on November 29, 2022. The Commission investigator was not contacted to 30 schedule an interview. 31

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1	CONCLUSIONS OF LAW
2	Lawrence E. Schumacher's conduct as described in paragraphs three (3) above
3	constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-
4	0040(4)(n) as incorporates OAR 584-020-0010(5) (Use professional judgment), 584-
5	020-0035(3)(a) (Maintain the dignity of the profession by respecting and obeying the
6	<i>law, exemplifying personal integrity and honesty</i> ) and OAR 584-020-0040(4)(p)
7	(Subject to the exercise of any legal right or privilege, failure or refusal by an educator
8	under investigation to respond to request for information, to furnish or to participate
9	in interviews with a Commission representative relating to a Commission
10	investigation).
11	The Commission's authority to impose discipline in this matter is based upon
12	ORS 342.175.
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14	FINAL ORDER
15	The Commission hereby revokes Lawrence E. Schumacher's right to apply for an
16	Oregon educator license.
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18	IT IS SO ORDERED THIS $27$ day of June, 2023.
19	TEACHER STANDARDS AND PRACTICES COMMISSION
20 21	0 -1
22 23 24 25	By:
26	NOTICE OF APPEAL OR RIGHTS
27 28 29 30 31	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.

## CERTIFICATE OF MAILING

I hereby certify that I served the foregoing notice of final order, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

Lawrence E. Schumacher 2627 Moolio Place Kihei, HI 96753

Dated this <u>27</u> day of June, 2023.

By: Selicty Icefire

Professional Practices Assistant

PAGE 1- CERTIFICATE OF MAILING - LAWRENCE E. SCHUMACHER