



SUPERINTENDENT OF PUBLIC INSTRUCTION

DR. TERRY BERGESON OLD CAPITOL BUILDING • PO BOX 47200 • OLYMPIA WA 98504-7200 • <http://www.k12.wa.us>

IN THE MATTER OF THE EDUCATION)
CERTIFICATE OF)
)
)
Robert Swalstad)
Certificate No. 366215B)
_____)

OPP No. D05-06-068

ORDER OF REVOCATION

COMES NOW the Office of Superintendent of Public Instruction (OSPI), under the authority granted by the laws of the state of Washington, having reviewed the file of the above-referenced case, and having considered the entire evidence contained therein, does hereby revoke the Washington Education Certificate, No. 366215B, of Robert Swalstad, based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. Robert Swalstad was issued a Washington Education Certificate, No. 366215B, on December 7, 1998. That certificate currently remains valid.
2. Robert Swalstad was employed by the Columbia School District.
3. On June 8, 2005, the Office of Professional Practices, within OSPI, received a complaint letter alleging a lack of good moral character or personal fitness, or a violation of the Code of Professional Conduct, Washington Administrative Code (WAC) 180-87, by Robert Swalstad.

ROBERT SWALSTAD
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4. On October 8 and November 4 of 2003, Mr. Swalstad was talked to by Paul Turner, Principal of Columbia High School, about his inappropriate interactions with female students.

5. On October 31, 2003, Mr. Swalstad was again counseled, by Mr. Turner, about his students' and parents' perceptions of his professional responsibility toward students. Another issue discussed was Mr. Swalstad's misuse of his school district assigned lap top computer.

6. Annual evaluation for the 2003- 2004 school years was rated overall as "satisfactory" but the section of Classroom Management was rated as "needs improvement and unsatisfactory". Interest in Teaching Pupils was rated as "needs improvement" and Effort Toward Improvement When Needed was rated as "needs improvement" in three categories.

7. On February 9, 2004, Mr. Swalstad was given a verbal warning, by Mr. Turner, for professional misconduct during the Spring of 2003 for not completing a report regarding the use of his laptop computer.

8. On May 14, 2004 Mr. Swalstad resigned as varsity volleyball and track coach due to rumors and false perceptions and that he was formally reprimanded.

9. On December 2, 2004 Mr. Swalstad received a Written Record of Oral Warning, from Mr. Wyborne, the High School Principal for transporting female students alone with him in his car on November 26, 2004 to Tacoma, WA and November 30, 2004 to Wellpinit, WA. Swalstad agreed that he did transport a female and it was poor judgment.

10. On January 19, 2005, Mr. Swalstad received a counseling session, from Mr. Wyborney, the High School Principal for allowing a student to drive his personal vehicle.

11. On March 24, 2005 Robert Swalstad was placed on administrative leave because of allegations of sexual misconduct by the Superintendent, Paul Turner. The Stevens County Sheriff's Department was notified and Detective Fran Lynn was assigned this case.

12. On March 30, 2005 Paul Turner, Columbia School District Superintendent, was notified by a female student's mother that her 15year old daughter, [1a] had slept with Robert Swalstad.

13. On May 11, 2005, Robert Swalstad met with Paul Turner and confirmed having sex with [1a]

14. On June 2, 2005, [1a] disclosed to the school counselor [1c]
[1c] Mr. Swalstad was arrested on this date by the Stevens County Sheriff's Office.

15. On July 18, 2005, the Columbia School District received Robert Swalstad's resignation.

16. On June 15, 2005, Robert Swalstad was given a Notice of Opportunity meeting with the Columbia School District. Mr. Swalstad refused to answer any questions under the 5th Amendment of the U.S. Constitution.

17. On September 26, 2005, Office of Professional Practices was informed that Robert Swalstad was living in Wyoming, that **1a** had her school records sent to Worland High School in Worland, Wyoming, and **1c**

18. On September 26, 2005, The Prosecuting Attorney of Stevens County stated there would be no charges until after **1c**

20. **1c**
1c
1c
1c

21. Good moral character and personal fitness is a continuing requirement to maintain a Washington Education Certificate.

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CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Robert Swalstad and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence, that the Washington Education Certificate, No. 366215B, of Robert Swalstad, should be revoked as provided for in WAC 180-86-075.

3. Robert Swalstad has violated WAC 180-87-060 (080), WAC 180-86-013, WAC 180-86-014.

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ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate, No. 366215B, of Robert Swalstad be revoked.

This order will become final thirty days after it is received, unless it is appealed within the thirty day period.

Appeals should be addressed to:

Superintendent of Public Instruction

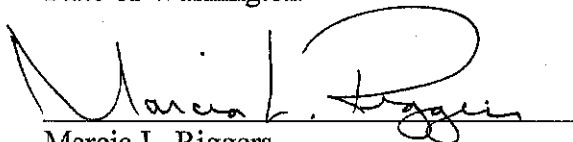
Office of Professional Practices

PO Box 47200

Olympia, WA 98504

DATED This 18th day of October, 2005.

DR. TERRY BERGESON
Superintendent of Public Instruction
State of Washington



Marcia L. Riggers
Assistant Superintendent
Student Support and Operations

Redaction Log

Total Number of Redactions in Document: 12

Redaction Reasons by Page

Page	Reason	Description	Occurrences
3	1c	RCW 42.56.070(1); RCW 42.56.230 (7)(a); 20 U.S.C. § 1232g; 34 CFR §99.31; 34 CFR §99.3. Federal law prohibits disclosure of information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.	2
3	1a	RCW 42.56.230(1); RCW 42.56.230(2); RCW 42.56.230 (7)(a); RCW 42.56.070(1); 20 U.S.C. § 1232g; 34 CFR §99.3; 34 CFR §99.31. Personal information in any files maintained for students in public schools are exempt from disclosure. Federal law also prohibits disclosure of personally identifiable information from education records without the consent of the student.	3
4	1a	RCW 42.56.230(1); RCW 42.56.230(2); RCW 42.56.230 (7)(a); RCW 42.56.070(1); 20 U.S.C. § 1232g; 34 CFR §99.3; 34 CFR §99.31. Personal information in any files maintained for students in public schools are exempt from disclosure. Federal law also prohibits disclosure of personally identifiable information from education records without the consent of the student.	1
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Redaction Log

Redaction Reasons by Exemption

Reason	Description	Pages (Count)
1a	RCW 42.56.230(1); RCW 42.56.230(2); RCW 42.56.230 (7)(a); RCW 42.56.070(1); 20 U.S.C. § 1232g; 34 CFR §99.3; 34 CFR §99.31. Personal information in any files maintained for students in public schools are exempt from disclosure. Federal law also prohibits disclosure of personally identifiable information from education records without the consent of the student.	3(3) 4(1)
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