



SUPERINTENDENT OF PUBLIC INSTRUCTION

RANDY I. DORN OLD CAPITOL BUILDING • PO BOX 47200 • OLYMPIA WA 98504-7200 • <http://www.k12.wa.us>

IN THE MATTER OF THE EDUCATION)
CERTIFICATE OF)

Dacia Schoengarth)
Certificate No. 346267H)

OPP No. D10-04-021

AGREED ORDER)
OF SUSPENSION)

COMES NOW the Office of Superintendent of Public Instruction, 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 stipulate by and between the Office of Professional Practices (OPP), Office of Superintendent of Public Instruction (OSPI), and Dacia Schoengarth, that the Washington Education Certificate, No. 346267H, of Dacia Schoengarth, shall be suspended, based on the Findings of Fact and Conclusions of Law set forth below:

FINDING OF FACTS

1. Dacia Schoengarth was issued a Washington Education Certificate, No. 346267H, on July 15, 1996. That certificate currently remains valid.

2. Dacia Schoengarth was employed by the Wenatchee Public Schools.

/

/

DACIA SCHONEGARTH
AGREED ORDER OF SUSPENSION



3. On April 1, 2010, the Office of Professional Practices, within OSPI, did receive a complaint letter from the superintendent of the Wenatchee Public Schools alleging a lack of personal fitness, or a violation of the Code of Professional Conduct, Washington Administrative Code (WAC) 181-87, by Dacia Schoengarth.

4. On January 9, 2008, Dacia Schoengarth removed items, worth \$96.99, from a Wenatchee, WA Shopko store without paying for the items. Dacia Schoengarth was arrested by Wenatchee Police Department, issued criminal Citation #C64330 for Theft 3rd Degree- Shoplift, Wenatchee Municipal Code (CW) 6A.06.010, and booked into the Chelan County Regional Justice Center; Wenatchee Police Department case number 08W00511.

5. On January 10, 2008, Dacia Schoengarth was charged in Chelan County District Court with Theft 3rd Degree, CW 6A.06.010; Chelan County District Court case #C00064330 WPD.

6. On February 21, 2008, in Chelan County District Court, an Order of Compromise of Misdemeanor was filed. Dacia Schoengarth paid a fine of \$150 to the court and the matter was dismissed upon payment; Chelan County District Court case #C00064330 WPD. As part of the Compromise of Misdemeanor, Dacia Schoengarth made civil reparations to Shopko and she was prohibited from entering the store for a period of one (1) year.

/

/

/

DACIA SCHONEGARTH
AGREED ORDER OF SUSPENSION

7. On or between December 15, 2007 and September 11, 2009, Dacia Schoengarth engaged in a pattern of taking merchandise out of the East Wenatchee, WA Costco store without paying for the items, listing stolen items for sale on her private e-Bay account and selling stolen items from her e-Bay account; East Wenatchee Police Department case No.'s 09E04832/09E04863 and Douglas County Superior Court Cause No. 09-1-00195-6.

8. On or between December 15, 2007 and September 11, 2009, Dacia Schoengarth used her Wenatchee Public Schools assigned laptop computer only at home to access her e-Bay account for purposes of listing and selling most of the merchandise that she had stolen from Costco; East Wenatchee Police Department case No.'s 09E04832/09E04863 and Douglas County Superior Court Cause No. 09-1-00195-6.

9. In September of 2009, the manager of the East Wenatchee Costco contacted East Wenatchee Police Department to report the loss of large amounts of merchandise from the store that was being sold on Dacia Schoengarth's e-Bay account. Items stolen and sold included, but not limited to: blu-ray movies; video games; facial cream; and digital cameras; East Wenatchee Police Department case No.'s 09E04832/09E04863 and Douglas County Superior Court Cause No. 09-1-00195-6.

10. On September 11, 2009, a Costco store employee observed Dacia Schoengarth use a box cutter to alter merchandise packaging, conceal the merchandise in her purse and exit the store without paying for the merchandise. Dacia Schoengarth was contacted by Costco employees and then by East Wenatchee Police Department East Wenatchee Police Department case No.'s 09E04832/09E04863 and Douglas County Superior Court Cause No. 09-1-00195-6.

11. On September 11, 2009, East Wenatchee Police Department officer(s) located items that Dacia Schoengarth had stolen from Costco that day and located previously stolen items in her vehicle that were packaged and addressed for mailing to other persons. Dacia Schoengarth told officer/s, among other comments, that: she had used a razor blade to open items and then put the items in her purse; left the store without paying for the items; and said that she took the items as gifts for friends and family; East Wenatchee Police Department case No.'s 09E04832/09E04863 and Douglas County Superior Court Cause No. 09-1-00195-6.

11. On September 11, 2009, Dacia Schoengarth provided false and misleading information to an East Wenatchee Police Department officer about items she had stolen, about previously stolen items that were in her vehicle, and stolen items in her vehicle that were packaged for mailing. Dacia Schoengarth also attempted to conceal stolen items from the East Wenatchee Police officer; East Wenatchee Police Department case No.'s 09E04832/09E04863 and Douglas County Superior Court Cause No. 09-1-00195-6.

12. On October 22, 2009, an Information and a Probable Cause Declaration were filed in Douglas County Superior Court charging Dacia Schoengarth with Trafficking in Stolen Property 1st Degree, RCW 9A.82.050, and Theft 1st Degree, RCW 9A.56.030, with Special Allegation- Aggravating Circumstances-Major Economic Offense; Douglas County Superior Court Case #09-1-00195-6.

/

/

/

13. On March 15, 2010, Dacia Schoengarth signed a Statement of Defendant on Plea of Guilty, in Douglas County Superior Court, stating: "Between the dates indicated by the State in the Information filed October 23, 2009, I did knowingly initiate the theft of stolen property for sale to others in the County of Douglas".

14. On March 22, 2010, in Douglas County Superior Court, Dacia Schoengarth was found guilty by plea of Trafficking in Stolen Property 1st Degree, RCW 9A.82.050, and sentenced to jail, restitution and fines

15. East Wenatchee, WA Costco store management estimates that the merchandise stolen and listed on Dacia Schoengarth's e-Bay account valued over \$10,000; East Wenatchee Police Department case No.'s 09E04832/09E04863 and Douglas County Superior Court Cause No. 09-1-00195-6. Dacia Schoengarth estimates that she earned about \$6,000 in proceeds from the sale of stolen merchandise on her e-Bay account.

16. On March 24, 2010, Dacia Schoengarth was placed on administrative leave by the Wenatchee Public Schools.

17. On April 7, 2010 and April 28, 2010, Dacia Schoengarth participated in meetings with Wenatchee Public Schools administrators.

18. On May 25, 2010, Dacia Schoengarth signed a Settlement Agreement with the Wenatchee Public Schools. As part of the settlement, Dacia Schoengarth was suspended until her effective resignation date of August 31, 2010.

19. On April 27, 2011, Dacia Schoengarth participated in an interview with an OPP investigator. OPP received Dacia Schoengarth's signed statement on May 20, 2011.

20. Ms. Schoengarth has worked as a certificated teacher in the state of Washington since July 15, 1996. She worked in the Issaquah School District from 1996-1997. She worked in the Lake Washington School District from August 1997 to August 2000. She worked in the Lake Stevens School District from the beginning of the 2000-2001 school year to the end of the 2005 school year. Ms. Schoengarth received good evaluations during the time that she worked in Issaquah, Lake Washington and Lake Stevens and never received any complaint or discipline regarding her teaching or supervision of students.

21. Ms. Schoengarth began working in the Wenatchee School District during the 2005-2006 school year as an instructional coach. She worked there until she was placed on administrative leave. During the time that she worked in the Wenatchee School District, she received good evaluations. Ms. Schoengarth never received any complaint or discipline regarding her teaching or supervision of students.

22. Ms. Schoengarth underwent treatment and assessment at the Wenatchee Valley Clinic on January 13, 2009. She was diagnosed with likely bipolar disorder. She continued treatment with Jennifer Blanchard ARNP at the Wenatchee Valley Clinic until April 16, 2010.

23. Ms. Schoengarth has treated with Terra Rea, PsyD from October 12, 2010 to present. Dr. Rea has diagnosed her with obsessive compulsive disorder, impulse control disorder and bipolar disorder. She continues to treat with Dr. Rea. 24. Good moral character and personal fitness is a continuing requirement to maintain a Washington Education Certificate.

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Dacia Schoengarth and over the subject matter of this action.
2. OSPI has shown by clear and convincing evidence that the Washington Education Certificate No. 346267H, of Dacia Schoengarth, should be suspended for unprofessional conduct and/or lack of good moral character or personal fitness. RCW 28A.410.090 (1)(a)(as enabling statute for suspension only); WAC 181-86-070, WAC 181-87-060 (relating to mismanagement of school property only by using a school laptop to access Ebay and Paypal at her house); WAC 181-86-013; WAC 181-86-014.

ORDER

THEREFORE, it is hereby ordered and agreed that the Washington Education Certificate, No. 346267H, of Dacia Schoengarth, be suspended for thirty (30) months, effective November 1, 2012.

REINSTATEMENT will require: (1) No criminal violations during the period of suspension; (2) continuation of current mental health treatment, as required by her counselor; (3) compliance with directions of mental health treatment provider; (4) an evaluation by a mutually agreed upon mental health professional three (3) months prior to conclusion of period of suspension to determine whether progress in treatment demonstrates that Dacia Schoengarth is not likely to engage in acts similar to trafficking in stolen property or theft of property; (5) that Dacia Schoengarth provide written consent for OPP to release documents to the provider for purposes of completing the evaluation; that Dacia Schoengarth will provide OPP with evidence of her successful completion of or continued compliance in his/her treatment program; and (5) if requested, Dacia Schoengarth will sign consent forms authorizing OPP to have access to all records pertaining to her treatment and to discuss any and all treatment undertaken with the providers administering treatment. The cost of conformance to all reinstatement requirements will be the responsibility of Dacia Schoengarth.

AND Reinstatement shall (also) require: (1) submission of a new application, including Character and Fitness Supplement, provided by OPP and having Dacia Schoengarth's fingerprints be checked by both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP); however, she will be allowed to keep the current certificate that she has; and (2) that if Dacia Schoengarth's education certificate expires during the period of suspension, Dacia Schoengarth will show that she meets all academic requirements for renewal/reinstatement of the education certificate. Reinstatement shall also be contingent upon Dacia Schoengarth's fingerprint background check returning with no additional criminal convictions that are listed in WAC 181-86-013, RCW 28A.410.090, any felony convictions. OPP shall keep Dacia Schoengarth's mental health and medical records confidential to the greatest extent possible by law. It is not OPP's intent that any part of her mental health or medical records become public records by virtue of this order.

DATED this 8th day of November, 2012.

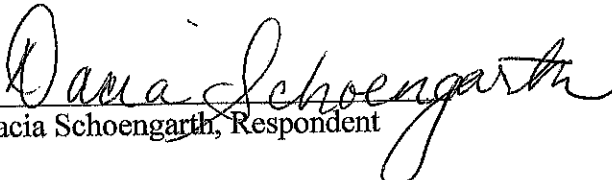
RANDY I. DORN
Superintendent of Public Instruction
State of Washington

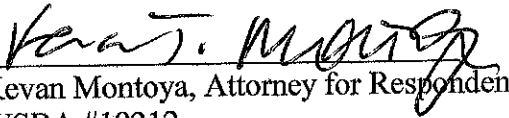
Alan Burke, Ed. D.
Deputy Superintendent
K-12 Education

Ken Karibaly
Chief of Staff
K-12 Education

This Agreed Order of Suspension Stipulated to and
Approved For Entry:

Dated: 11/6/12


Dacia Schoengarth, Respondent


Kevan Montoya, Attorney for Respondent
WSBA #19212