1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
4 5 6 7	In the Matter of the Educator License of DEBORAH LEIGH BARRY DEBORAH LEIGH BARRY DEBORAH LEIGH BARRY DEFAULT ORDER OF REVOCATION OF RIGHT TO APPLY FOR AN EDUCATOR LICENSE
8 9	On August 30, 2012, the Teacher Standards and Practices Commission (Commission)
10	issued a Notice of Opportunity for Hearing to Deborah Leigh Barry (Barry) in which the
11	Commission charged her with Gross Neglect of Duty. The Notice was sent via U.S. First Class
12	Mail and U.S. Certified Mail Receipt 7011 2000 0001 1292 1643 to the address on file with the
13	Commission. The Notice designated the Commission file as the record for purposes of proving a
14	prima facie case. The Certified Mail was not returned to the Commission, and the return receipt
15	was received by TSPC on September 12, 2012. The regular mail was not returned to the
16	Commission. The Notice of Opportunity of Hearing, dated August 30, 2012, and signed by
17	Victoria Chamberlain, Executive Director, stated:
18 19 20 21 22 23 24 25	"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 OR IF YOU FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."
26	Barry did not request a hearing. The Commission, therefore, finds Barry to be in default and
27	enters the following findings of fact, conclusions of law, and final order, based on the files and
28	records of the Commission concerning this matter.
29	FINDINGS OF FACT
30	1. Deborah Leigh Barry has been licensed by the Commission since November 7, 2008. Barry's
31	Restricted Substitute License endorsed with Substitute Any Specialty (PP-12), was issued
32 33	November 7, 2008, and expired on November 7, 2011. During all relevant times, Barry was
34	employed by the Central School District.
35	2. Beginning in February 2011, Barry was counseled by her supervisor for failing to maintain appropriate boundaries with a male student. Barry's inappropriate conduct continued, and Barry
36	was verbally counseled multiple times from February 2011 through January 2012. In addition to the
37	counseling sessions, Barry was provided in-service training regarding appropriate teacher/student
38	boundaries. On September 26, 2011, Barry was issued a "Letter of Directive" by her supervisor to
39	cease all contact with the involved male student. Despite the multiple counseling sessions, the re-

1	training, and the directive, Barry violated district policy and written directives and continued to
2	have contact with the male student. On January 25, 2012, Barry was issued a written reprimand for
3	her actions. On March 9, 2012, the School Board considered the Superintendent's recommendation
4	for Barry's dismissal. On or around March 11, 2012, Barry resigned her employment upon learning
5	that she was going to be terminated from employment.
6	CONCLUSIONS OF LAW
7	Barry's conduct described in section two (2) above, constitutes gross neglect of duty in
8	violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-
9	0010(5) (Use professional judgment),OAR 584-020-0025(2)(e) (Using district lawful and
10	reasonable rules and regulations); and OAR 584-020-0040(4)(0), as it incorporates OAR 584-
11	020-0035(1)(c)(D)(Honoring appropriate adult boundaries with students in conduct and
12	conversations at all times).
13	Furthermore, the conduct described above demonstrates that Barry lacks good moral
14	character, mental or physical fitness to hold a license as required under ORS 342.143(2).
15	The Commission's authority to impose discipline in this matter is based upon ORS
16	342.175.
17	FINAL ORDER
18	The Commission hereby revokes Deborah Leigh Barry's right to apply for educator
19	licensure.
20	IT IS SO ORDERED THIS day of February, 2013.
21	TEACHER STANDARDS AND PRACTICES COMMISSION
22 23 24 25 26	By:
27 28	NOTICE OF APPEAL OR RIGHTS
29 30 31 32	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:

Deborah Leigh Barry 1407 Gwinn St E Monmouth, OR 97361

Dated this $15\frac{1}{12}$ day of February, 2013.

Patty Liddell

Investigative Assistant