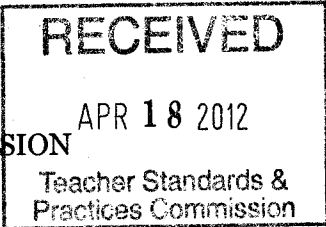


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BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION  
OF THE STATE OF OREGON

In the Matter of the ) STIPULATION OF FACTS AND  
Teaching License of: ) FINAL ORDER OF REVOCATION  
) OF RIGHT TO APPLY FOR  
GARY LEE WELBERG ) ONE (1) YEAR

On April 8, 2010, Welberg submitted an Application for Student Teaching or Practicum Report (form PA-1), as part of his Masters Degree student teaching requirement through Eastern Oregon University. Review of Welberg's "Yes" answer on the character question section of his application indicated possible discrepancies and prompted an investigation.

After review of the matters alleged, Welberg and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts and the revocation of Welberg's right to apply for a teaching license in the State of Oregon for a period of one year. Welberg denies any intentional misrepresentation or knowingly falsifying his application, but stipulates that there is sufficient information contained in the Commission's files to support the stipulation of facts set forth below.

By signing below, Welberg acknowledges, understands, stipulates, and agrees to the following: (i) he has been fully advised of his rights to notice and a hearing to contest the findings of fact, conclusions of law, and order set forth below, and fully and finally waives all such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Suspension (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to the public upon request by the Commission; (iii) this Stipulation and Final Order is contingent upon and subject to approval and adoption by the Commission. If the Commission does not approve and adopt this Stipulation and Final Order, then neither Welberg nor the Commission are bound by the terms herein; (iv) he has fully read this Stipulation and Final Order, and understands it completely; (v) he voluntarily, without any force or duress, enters into this Stipulation and Final Order and consents to issuance and entry of the Stipulated Final Order below; (vi) he states that no promise or representation has been made to induce him to sign this Stipulation and Final Order; and (vii) he has consulted with an attorney regarding this Stipulation and Final Order and has been fully advised with regard to his rights thereto, or waives any and all rights to consult with an attorney prior

1 to entering into this Stipulation and Final Order and issuance and entry of the Stipulated  
2 Final Order below.

3 **STIPULATION OF FACTS**

- 4 1. Gary Lee Welberg applied for his student teaching/practicum license on April 8,  
5 2010. Welberg has never been a licensed teacher in the State of Oregon.
- 6 2. On March 18, 2010, Welberg signed the character question section of his application,  
7 certifying his answers and explanations to be "true and correct". Welberg correctly  
8 answered "Yes" to character question four (4), "*Have you ever had a professional*  
9 *certificate, credential or license (of any kind) revoked or suspended or have you*  
10 *been placed on probationary status for any alleged misconduct or alleged violation*  
11 *of professional standard of conduct?"* Welberg's required explanation of his "Yes"  
12 answer was compared to records of the State of Oregon Department of Public Safety  
13 Standard and Training (DPSST), which led to the revocation of Welberg's police  
14 certificate(s). The TSPC investigation discovered discrepancies between Welberg's  
15 explanation and the DPSST records.
- 16 3. During the course of the investigation, Welberg advised investigators that he had  
17 allowed DPSST to take action against his police certification(s) by default and failed  
18 to request a hearing in order to defend his position and explain his actions. Welberg  
19 contends that the DPSST record is not entirely accurate and he was not aware of the  
20 full contents of the DPSST findings and order when he provided his explanation to  
21 TSPC.
- 22 4. Welberg's actions were independently investigated and reviewed by the County  
23 District Attorney and the Oregon Department of Justice; both determined that  
24 Welberg had not committed any criminal acts. Welberg contends that his  
25 participation in the associated incident(s) were in his role as a union official and not  
26 in his role as a police officer. La Grande police officials, including now retired Police  
27 Chief Courtney, support and recommend Welberg for licensure. Letters to the  
28 Commission from both Chief Courtney and Lieutenant Reddington attest to  
29 Welberg's "High degree of honesty and integrity" and express their full endorsement  
30 of Welberg.

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1 IT IS SO STIPULATED:

2  
3 Gary Lee Welberg 7/13/12  
4 Gary Lee Welberg Date  
5 Victoria Chamberlain 5-9-12  
6 Victoria Chamberlain, Executive Director Date  
7 Teacher Standards and Practices Commission  
8

9 **CONCLUSION OF LAW**

10 Gary Lee Welberg's required explanation of the revocation of his police  
11 certification(s) was not completely accurate as stated in his application for a student  
12 teaching/practicum license. As a result, Welberg's explanation contains multiple false  
13 statements regarding the factual circumstances that led to the revocation of his police  
14 certificate(s) by the State of Oregon Department of Public Safety Standard and Training  
15 (DPSST). This conduct constitutes gross neglect of duty in violation of OAR 584-020-  
16 0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use of professional judgment*);  
17 and OAR 584-020-0040(4)(c) (*Knowing falsification of any document or knowing*  
18 *misrepresentation directly related to licensure, employment, or professional duties*).

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

21 **ORDER**

22 Based on the foregoing, the Commission hereby orders the revocation of Gary Lee  
23 Welberg' right to apply for a license for a period of one (1) year.

24 Issued and dated this 20<sup>th</sup> day of July, 2012.

25 **TEACHER STANDARDS AND PRACTICES COMMISSION**  
26 **STATE OF OREGON**

27 By Victoria Chamberlain Victoria Chamberlain  
28 Victoria Chamberlain, Executive Director  
29

CERTIFICATE OF MAILING

I HEREBY CERTIFY that I served the foregoing Stipulation of Facts and Final Order of Revocation of Right to Apply for One (1) Year, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail – Return Receipt Requested, addressed to:

Gary Lee Welberg  
6108 N Gull Rock Place  
Garden City, ID 83714

DATED this 7<sup>th</sup> day of August, 2012.

By:



Patty Liddell  
Investigative Assistant