

1 **CONCLUSIONS OF LAW**

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3 Gadberry's conduct constitutes gross neglect of duty in violation of ORS 342.175(1)(b);
4 OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*);
5 OAR 584-020-0040(4)(d) (*Unreasonable physical force against students, fellow employees, or*
6 *visitors to the school, except as permitted under ORS 339.250*). The Commission's authority to
7 impose discipline in this matter is based upon ORS 342.175.

8 **FINAL ORDER**

9 The Commission adopts and incorporates herein the above findings of facts and
10 conclusions of law, and based thereon, hereby impose a Public Reprimand on the Standard
11 Administrative License and Standard Teaching License issued to James Ralph Gadberry.

12 Issued and dated this 11th day of June, 2009.

13 **TEACHER STANDARDS AND PRACTICES COMMISSION**

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16 By: 
17 Victoria Chamberlain, Executive Director

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19 **NOTICE OF APPEAL OR RIGHTS**

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21 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE
22 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE
23 OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS
24 183.482 TO THE OREGON COURT OF APPEALS.