

**Teacher Standards &
Practices Commission**

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 L Welberg
4 Gary Lee Welberg

1/13/12
Date

5
6 Victoria Chamberlain
7 Victoria Chamberlain, Executive Director
8 Teacher Standards and Practices Commission

5-9-12
Date

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 20th day of July, 2012.

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

27 By Victoria Chamberlain
28 Victoria Chamberlain, Executive Director
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