

1 **CONCLUSIONS OF LAW**

2 Threatening the school principal constitutes gross neglect of duty under ORS
3 342.175(1)(b) in violation of OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-
4 0010(5) (*Use professional judgment*).

5 Slapping a student on the buttocks constitutes gross neglect of duty under ORS
6 342.175(1)(b) in violation of OAR 584-020-0040(4)(d) (*Unreasonable physical force against*
7 *students, fellow employees, or visitors to the school, except as permitted under ORS*
8 *339.250*). This conduct also violates OAR 584-020-0040(4)(o) as it incorporates OAR 584-
9 020-0035(1)(c)(D) (*Honoring appropriate adult boundaries with students in conduct and*
10 *conversations at all times*).

11 **FINAL ORDER**

12 The Commission hereby revokes Lourdes R. Sylvestre's Initial Teaching License.

13 IT IS SO ORDERED THIS 10th day of August, 2009.

14 TEACHER STANDARDS AND PRACTICES COMMISSION

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17 By: 
18 Victoria Chamberlain, Executive Director
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23 **NOTICE OF APPEAL OR RIGHTS**

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25 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
26 BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE
27 SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF
28 ORS 183.482 TO THE OREGON COURT OF APPEALS.
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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:

Lourdes R. Sylvestre
2685 Ruthe Duarte Avenue
Las Vegas NV 89121

Dated this 20th day of May, 2010.

By: Melody Hanson
Melody Hanson
Executive Assistant