

1 Final Order below; (vi) she states that no promises or representation has been made to induce
2 her to sign this Stipulation and Final Order; and (vii) she has consulted with an attorney
3 regarding this Stipulation and Final Order and has been fully advised with regard to her rights
4 thereto, or waives any and all rights to consult with an attorney prior to entering into this
5 Stipulation and Final Order and issuance and entry of the Stipulated Final Order below.

6 **STIPULATION OF FACTS**

7 1. The Commission has licensed Ruth Ellen Gelbrich since October 14, 1985. Gelbrich
8 currently holds a Standard Administrator License valid November 19, 2005, through November
9 18, 2010, with a Standard Administrator endorsement.

10 2. Gelbrich is employed with the Salem-Keizer School District as the District Student
11 Services Director. Gelbrich has no previous disciplinary issues.

12 3. In August 2007 Gelbrich attended, as her district's representative, a due process
13 hearing regarding a student's individualized educational program (IEP). At all times during that
14 hearing the district was formally represented by its attorney.

15 4. During hearing proceedings a college faculty member, who was called as a
16 telephonic witness, gave derogatory testimony regarding the preparation and performance of
17 district professional staff members.

18 5. With the intention of consulting with the district's legal representative, Gelbrich
19 composed an e-mail message to the witness, and the witness's supervisors noting the irony of
20 his criticism of district professional staff the training of whom he, as a faculty member, had
21 overseen. Gelbrich was unfamiliar with her recently acquired laptop computer and has told the
22 Commission that she inadvertently transmitted the message before the witness had completed
23 his testimony.

24 6. When Gelbrich discovered that the message had been transmitted she immediately
25 left the hearing and unsuccessfully sought the assistance of district technicians to halt
26 transmittal of the message.

1 7. The witness received the e-mail message before he was excused as a witness and
2 immediately brought the message to the attention of the hearings officer who regarded the
3 message as disruptive of the hearing. Upon learning that the message had been viewed by the
4 witness Gelbrich immediately apologized.

5 **IT IS SO STIPULATED AND AGREED TO:**

6 Ruth Ellen Gelbrich
7
8 Ruth Ellen Gelbrich

10-27-08
Date

9 Victoria Chamberlain
10
11 Victoria Chamberlain, Executive Director
12 Teacher Standards and Practices Commission

~~1-22-08~~
Date corrected
11-3-08

13
14 **CONCLUSIONS OF LAW**

15 The foregoing described conduct is deemed by the Commission to have constituted
16 gross neglect of duty in violation of OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-
17 0035(2)(b), *Conduct professional business, including grievances, through established lawful*
18 *and reasonable procedures*. The commission has authority to impose discipline in this matter
19 under ORS 342.120 through 342.430 and OAR Chapter 584.

20 **FINAL ORDER**

21 The Commission hereby adopts and incorporates herein the above findings of fact,
22 conclusions of law, and based thereon hereby imposes a Public Reprimand upon Ms. Gelbrich.
23 The Stipulation of Facts, Final Order constitutes the Reprimand.

24 Issued and dated this 23rd day of February, 2009
~~October, 2008.~~

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

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

[082008]