



1 **CONCLUSIONS OF LAW**

2 Culbertson’s conviction constitutes gross neglect of duty in violation of ORS  
3 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use*  
4 *professional judgment*); OAR 584-020-0040(1)(bb) (*ORS 163.684 – Encouraging Child Sexual*  
5 *Abuse in the First Degree*); and OAR 584-020-0040(1)(cc) (*ORS 163.686 – Encouraging Child*  
6 *Sexual Abuse in the Second Degree*). This conduct also constitutes gross unfitness in violation of  
7 ORS 342.175(1)(c); OAR 584-020-0040(5)(e) (*Admission of or engaging in acts constituting*  
8 *criminal conduct, even in the absence of a conviction*). Pursuant to ORS 342.175(3) and OAR  
9 584-020-0040(1) the Teacher Standards and Practices Commission must revoke Culbertson’s  
10 right to apply for a license based on Culbertson’s conviction of any of the crimes listed in ORS  
11 342.143(3)(a).

12 Furthermore, the conduct underlying Culbertson’s conviction constitutes gross neglect of  
13 duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-  
14 020-0010(5) (*Use professional judgment*); OAR 584-020-0040(4)(k) (*knowing violation of*  
15 *any rule or order of the Commission*); OAR 584-020-0040(4)(o) as it incorporates OAR 584-  
16 020-0035(3)(a) (*Maintain the dignity of the profession by respecting and obeying the law,*  
17 *exemplifying personal integrity and honesty*)

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

20 **FINAL ORDER**

21 The Commission hereby revokes the licensure of Mark Read Culbertson and revokes  
22 Culbertson’s right to apply for licensure.

23 IT IS SO ORDERED THIS 20<sup>th</sup> day of September, 2012.

24 **TEACHER STANDARDS AND PRACTICES COMMISSION**



25 By: \_\_\_\_\_  
26 Victoria Chamberlain, Executive Director  
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28

29 **NOTICE OF APPEAL OR RIGHTS**

30  
31 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE  
32 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF  
33 THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO  
34 THE OREGON COURT OF APPEALS.

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:

Mark Read Culbertson  
23467 SW Old Hwy 99  
Sherwood, OR 97140

Dated this 20<sup>th</sup> day of September, 2012.

By: Patty Liddell  
Patty Liddell  
Investigative Assistant