



- 1 2. On September 16, 2016, the Commission received a report from the Dallas School  
2 District indicating that Myrold was under investigation for possible misconduct,  
3 including a criminal investigation involving a minor aged student.
- 4 3. On September 12, 2016, Myrold was arrested by the Dallas Oregon Police  
5 Department, charging Myrold with two counts of Sexual Abuse II, ORS 163.425, a  
6 class "C" Felony, and Luring a Minor, ORS 167.057 a class "C" Felony. On January  
7 12, 2017, as part of a plea agreement, Myrold was convicted of Sexual Abuse II, ORS  
8 163.425, a class "C" Felony. Myrold was sentenced, in part, to 30 days in jail, 60  
9 months of post-conviction supervision, and required to register as a sex offender.
- 10 4. Myrold's criminal charges and subsequent convictions arose from allegations that on  
11 or between June 1, 2016 and September 12, 2016, on multiple occasions, Myrold  
12 unlawfully and knowingly subjected a minor (student) to sexual contact by kissing  
13 and causing her to touch his penis while having been her coach before the  
14 commission of the act(s). Myrold also shared, via text messages explicit descriptions  
15 and narratives of sexual conduct for the purpose of inducing the minor aged student  
16 to engage in sexual conduct.

#### 18 **CONCLUSIONS OF LAW**

19 Kirk David Myrold's criminal convictions constitute gross neglect of duty in  
20 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-  
21 020-0010(5) (*Use professional judgment*); and OAR 584-020-0040(1) (*The*  
22 *Commission will deny, revoke or deny the right to apply for a license or charter school*  
23 *registration to any applicant or educator who, has been convicted of any of the crimes*  
24 *listed in ORS 342.143, or the substantial equivalent of any of those crimes if convicted*  
25 *in another jurisdiction*), including OAR 584-020-0040(1) (n) (*ORS 163.425 –Sexual*  
26 *Abuse in the Second Degree*). This conduct also constitutes gross unfitness in violation  
27 of ORS 342.175(1)(c); OAR 584-020-0040(5)(c) (*Conviction of violating any federal,*  
28 *state, or local law. A conviction includes any final judgment of conviction by a court*  
29 *whether as the result of guilty plea, no contest plea or any other means*); OAR 584-  
30 020-0040(5)(d) (*Commission of an act listed in OAR 584-020-0040(1)*); and OAR 584-  
31 020-0040(5)(e) (*Admission of or engaging in acts constituting criminal conduct, even*

1 *in the absence of a conviction).*

2  
3 Pursuant to ORS 342.175(3) and OAR 584-020-0040(1) the Teacher Standards  
4 and Practices Commission must revoke Myrold's license and Myrold's right to apply for  
5 a license based on conviction of any of the crimes listed in ORS 342.143(3)(a), or the  
6 substantial equivalent of any of those crimes.

7  
8 Furthermore, the conduct underlying Myrold's indictments and convictions  
9 constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-  
10 0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*); OAR  
11 584-020-0040(4)(k) (*Violation of any rule or order of the Commission*); OAR 584-  
12 020-0040(4)(f) (*Any sexual conduct with a student*) as defined by OAR 584-020-  
13 0005(5); OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(1)(c)(D)  
14 (*Honoring appropriate adult boundaries with students in conduct and conversations*  
15 *at all times*); and OAR 584-020-0035(3)(a) (*Maintain the dignity of the profession by*  
16 *respecting and obeying the law, exemplifying personal integrity and honesty*).  
17 Additionally, your conviction and conduct related to your conviction constitute "gross  
18 unfitness" in violation of ORS 342.175(1)(c); OAR 584-020-0040(3)(c) and (d) as  
19 defined by OAR 584-020-0040 (5) (*Gross unfitness is any conduct which renders an*  
20 *educator unqualified to perform his or her professional responsibilities*).

21  
22 The Commission's authority to impose discipline in this matter is based upon ORS  
23 342.175.

24 **FINAL ORDER**

25 The Commission hereby revokes Kirk David Myrold's Oregon educator license  
26 and his right to apply for an Oregon educator license.

27 IT IS SO ORDERED THIS 8<sup>th</sup> day of June, 2017.

28 ////

29 ////

30 ////

1 TEACHER STANDARDS AND PRACTICES COMMISSION

2  
3 *Monica Beane*

4 By: \_\_\_\_\_  
5 Dr. Monica Beane, Executive Director  
6  
7  
8

9 NOTICE OF APPEAL OR RIGHTS

10  
11 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY  
12 BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE  
13 SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF  
14 ORS 183.482 TO THE OREGON COURT OF APPEALS.