

1 **CONCLUSIONS OF LAW**

2 Durham's conduct and convictions 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 professional*
4 *judgment*); OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(3)(a) (*Maintain the*
5 *dignity of the profession by respecting and obeying the law, exemplifying personal integrity and*
6 *honesty*); and OAR 584-020-0040(3)(a) (*The Commission may initiate proceedings to suspend or*
7 *revoke the license or registration of an educator under ORS 342.175 or deny a license or*
8 *registration to an applicant under 342.143 who: Has been convicted of a crime not listed in section*
9 *(1) of this rule, if the Commission finds that the nature of the act or acts constituting the crime for*
10 *which the educator was convicted render the educator unfit to hold a license*). This conduct also
11 establishes that you do not possess good moral character required to hold a license under ORS
12 342.143(2).

13
14 The Commission's authority to impose discipline in this matter is based upon ORS 342.175.

15 **FINAL ORDER**

16 The Commission hereby revokes Kimberly Dawn Durham's Right to Apply for an Educator
17 license.

18 IT IS SO ORDERED THIS 21st day of June, 2013.

19 TEACHER STANDARDS AND PRACTICES COMMISSION



20 By: _____
21 Victoria Chamberlain, Executive Director

22 **NOTICE OF APPEAL OR RIGHTS**


23
24
25 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE
26 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF
27 THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO
28 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:

Kimberly Dawn Durham
4306 NE 41st Ave
Portland, Oregon 97211-8246

Dated this 21st day of June, 2013.

By: 
Patty Liddell
Investigative Assistant