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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 20th day of September, 2012.

24 **TEACHER STANDARDS AND PRACTICES COMMISSION**

25 
26 By: _____
27 Victoria Chamberlain, Executive Director
28

29 **NOTICE OF APPEAL OR RIGHTS**

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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.