



1 convicted of Child Neglect in the Second Degree, a Class A Misdemeanor. A copy of the  
2 Wasco County Circuit Court Judgment indicates that as part of Smiggs' sentencing,  
3 Smiggs is not to have any contact with children under the age of ten years for a period of  
4 one year, in addition to other requirements.

### 5 CONCLUSIONS OF LAW

6 Smiggs' conduct as described above constitutes gross neglect of duty in violation of  
7 ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5)  
8 (*Use professional judgment*). This conduct also constitutes gross unfitness in violation of  
9 ORS 342.175(1)(c); OAR 584-020-0040(5)(c) (*Conviction of violating any federal, state, or*  
10 *local law. A conviction includes any final judgment of conviction by a court whether as the*  
11 *result of guilty plea, no contest plea or any other means*), and OAR 584-020-0040(5)(e)  
12 (*Admission of or engaging in acts constituting criminal conduct, even in the absence of a*  
13 *conviction*).


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

### 16 FINAL ORDER

17 The Commission hereby revokes Sandy Kay Smiggs' Right to Apply for an Educator  
18 license.

19 IT IS SO ORDERED THIS 22<sup>nd</sup> day of October, 2013.

20 TEACHER STANDARDS AND PRACTICES COMMISSION

21 By:   
22 Victoria Chamberlain, Executive Director  
23

### 24 NOTICE OF APPEAL OR RIGHTS

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