1 2 3		BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
4 5 6 7	Tea	he Matter of the) DEFAULT ORDER OF aching License of) LICENSE REVOCATION BY JAYNES DUFFNER)
8		On February 1, 2011, the Teacher Standards and Practices Commission (Commission)
9	issı	ued a Notice of Opportunity for Hearing to Ruby Jaynes Duffner (Duffner) in which the
10	Co	mmission charged her with Gross Neglect of Duty pursuant to OAR 584-020-0040(4)(n),
11	OA	R 584-020-0010(5), OAR 584-020-0040(4)(o), OAR 584-020-0035(1)(c)(D), OAR 584-020-
12	003	35(1)(c)(A). The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt
13	701	10 0290 0001 6831 2233 to the address on file with the Commission. The Certified Mail was
14	sig	ned for by Ruby Duffner on February 2, 2011. The regular mail was not returned to the
15	Со	mmission. The Notice of Opportunity of Hearing, dated February 2, 2011, and signed by
16	Vic	toria Chamberlain, Executive Director, stated:
17 18 19 20 21 22 23 24	"IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF YOU FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."	
25	Du	ffner did not request a hearing. The Commission, therefore, finds Duffner to be in default and
26	ent	ters the following findings of fact, conclusions of law and order, based on the files and records
27	of t	the Commission concerning this matter.
28		FINDINGS OF FACT
29	1.	Duffner has been licensed as a teacher in Oregon since May 28, 2003. Duffner's current
30		Limited Teaching License, issued on September 18, 2009, is valid until September 18, 2012.
31		During all relevant times Duffner was employed by the North Lake School District.
32	2.	On January 3, 2010, Duffner informed the North Lake School District that she and a female
33		high school student spent a day in their pajamas watching movies at Duffner's home.
34	3.	Later the same day a student phoned Duffner to discuss his romantic life. Duffner met the
35		student at a gas station. When the student suggested they leave that location to avoid
36		others gossiping about the meeting, Duffner agreed to drive to a secluded hay barn to talk.

1	While there Duffner got into the back seat of her car and hugged and consoled the male
2	student. While there Duffner and the student were harassed by an unidentified male driver
3	that circled Duffner's car and flashed his headlights and sent Duffner harassing text
4	messages and phone calls. Duffner and the male student left the location in Duffner's car.
5	Returning a short while later Duffner found the male students' tires deflated. Duffner then
6	called another male student for help in inflating the tires.
7	CONCLUSIONS OF LAW
8	Ruby Jaynes Duffner's conduct as described in #2 above constitutes gross neglect of
9	duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-
10	020-0010(5) (Use professional judgment); OAR 584-020-0040(o) as it incorporates OAR 584-
11	020-0035(1)(c)(D) (Honoring appropriate adult boundaries with students in conduct and
12	conversations at all times).
13	Duffner's conduct as described in #3 above constitutes gross neglect of duty in violation
14	of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (Use
15	professional judgment); OAR 584-020-0040(o) as it incorporates OAR 584-020-0035(1)(c)(A)
16	(Not demonstrating or expressing professionally inappropriate interest in a student's personal
17	life) and OAR 584-020-0035(1)(c)(D)(Honoring appropriate adult boundaries with students in
18	conduct and conversations at all times).
19	The Commission's authority to impose discipline in this matter is based upon ORS
20	342.175.
21	FINAL ORDER
22	The Commission hereby revokes the licensure of Ruby James Duffner.
23	IT IS SO ORDERED THIS La day of May, 2011.
24	TEACHER STANDARDS AND PRACTICES COMMISSION
25 26 27 28	By: Uniona Mambulain Victoria Chamberlain, Executive Director
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30 31	
32	NOTICE OF APPEAL OR RIGHTS
33 34	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE
35 36 37	OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.