1	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION			
2	OF THE STATE OF OREGON			
3 4 5 6 7	In the Matter of) ORDER OF the Educator License of:) LICENSE REINSTATEMENT KIMBERLEY ANN EMURA)			
8	This matter came before the Commission on June 24, 2015, to consider Kimberley			
9	Emura's request to reinstate her right to apply for an educator's license that was revoked on			
10	July 26, 2013. Kimberley Emura is eligible for reinstatement under the Commission's rules. Ms.			
11	Emura appeared before the Commission unrepresented by counsel.			
12	Kimberley Emura has complied with all conditions for reinstatement required by the			
13	Commission. After reviewing the evidence submitted by Ms. Emura along with her personal			
14	statement to the Commission, the Commission grants the reinstatement of Kimberley Emura's			
15	teaching license and the reinstatement of her right to apply for any teaching license she may be			
16	eligible for. The Commission commends Ms. Emura for the commitment she has made toward			
17	her sobriety over the past several years. The Commission has an expectation that Ms. Emura			
18	will continue with the treatment of her chemical dependencies with the same commitment she			
19	has made in the past and that she represented to the Commission on June 24, 2015.			
20	Now therefore, the Commission orders that Kimberley Ann Emura's educator license			
21	and her right to apply for a license is reinstated effective June 24, 2015.			
22	Furthermore, the Commission imposes four (4) years of probation upon Ms. Emura to			
23	commence upon reinstatement of her license and subject to the following terms and conditions			
24	of probation:			
25	1. Ms. Emura shall comply with the Standards for Competent and Ethical			
26	Performance of Oregon Educators under Oregon Administrative Rules Chapter			
27	584, Division 020.			

•	2. Emura will submit to a unmarysis test / screening for filloli drugs every six months,
2	at her own expense. Testing to commence within the first six months of her
3	reinstatement and continue every six months during the course of her four year
4	probation. The written test results must be provided to the commission on time
5	and from a certified and approved testing provider.
6	Violation of any term or condition of probation shall constitute an independent basis for the
7	Commission to revoke Emura's educator license or otherwise impose discipline, after first
8	providing Emura with notice and opportunity for hearing.
9	111
10	Issued and dated this 25 day of <u>June</u> , 20 <u>15</u> .
11 12	TEACHER STANDARDS AND PRACTICES COMMISSION STATE OF OREGON
13 14 15	By Julia Viamberlain, Executive Director

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Procedure Coursellasion

BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON

In the Matter of the)	STIPULATION OF FACTS AND
Educator License of)	FINAL ORDER OF REVOCATION
KIMBERLY ANN EMURA)	OF RIGHT TO APPLY

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On October 5, 2010 the Commission received a report from the High Desert ESD alleging Kimberly Ann Emura (Emura) had violated professional practices standards.

After review of the matters alleged, Emura and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts and the revocation of her right to apply for licensure.

By signing below, Emura acknowledges, understands, stipulates, and agrees to the following: (i) she has been fully advised of her rights to notice and a hearing to contest the findings of fact, conclusions of law, and order set forth below, and fully and finally waives all such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Revocation of Right to Apply (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to the public upon request by the Commission; (iii) this Stipulation and Final Order is contingent upon and subject to approval and adoption by the Commission. If the Commission does not approve and adopt this Stipulation and Final Order, then neither Emura nor the Commission are bound by the terms herein; (iv) she has fully read this Stipulation and Final Order, and understands it completely; (v) she voluntarily, without any force or duress, enters into this Stipulation and Final Order and consents to issuance and entry of the Stipulated Final Order below; (vi) she states that no promise or representation has been made to induce her to sign this Stipulation and Final Order; and (vii) she has consulted with an attorney regarding this Stipulation and Final Order and has been fully advised with regard to her rights thereto, or waives any and all rights to consult with an attorney prior to entering into this Stipulation and Final Order and issuance and entry of the Stipulated Final Order below.

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STIPULATION OF FACTS

- Kimberly Ann Emura has been licensed by the Commission since January 14, 1987.
 Emura held a Basic Teaching License with an endorsement in Basic Elementary
 Education, issued July 22, 2008, which expired on July 21, 2011. During all relevant times, Emura was seeking employment with High Desert Education Service District.
- 2. On September 29, 2010, during a pre-employment drug screening, Emura tested positive for Amphetamines, including Methamphetamine, and THC (Marijuana).

1	According to a lab toxicologist where Emura's testing was performed, the level of drugs		
2	detected in Emura's urine indicated that Emura had used Amphetamines or		
3	Methamphetamines within two days of the test, Emura initially denied using any drug		
4	other than marijuana but now admits that she used marijuana and methamphetamines		
5	prior to the drug screening.		
6	IT IS SO STIPULATED:		
7 8 9 10 11 12	Kimberly Ann Emura Victoria Chamberlain, Executive Director Teacher Standards and Practices Commission Double 12-13 Date 5-17-13 Date		
14			
15	CONCLUSION OF LAW		
16	Kimberly Ann Emura tested positive for illegal drug use during a pre-		
17	employment drug screening. Emura misinformed Commission investigators regarding		
18	her drug use. This conduct constitutes gross neglect of duty in violation of ORS 342.175		
19	(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (Use		
20	professional judgment); and OAR 584-020-0040(4)(c) (Knowing falsification of any		
21	document or knowing misrepresentation directly related to licensure, employment, or		
22	professional duties). This conduct also constitutes gross unfitness in violation of ORS		
23	342.175(1)(c); OAR 584-020-0040(5)(e) (Admission of or engaging in acts constituting		
24	criminal conduct, even in the absence of a conviction).		
25	The Commission's authority to impose discipline in this matter is based upon		
26	ORS 342.175.		
27	ORDER		
28	The Commission adopts and incorporates herein the above findings of fact and		
29	conclusions of law, and based thereon, the Commission revokes Emura's right to apply		
30	for licensure to commence upon finalization of this order.		

1	Issued and dated this day of July, 2013.
2 3	TEACHER STANDARDS AND PRACTICES COMMISSION STATE OF OREGON
4 5 6	By Julia Chamberlain Executive Director

CERTIFICATE OF MAILING

I HEREBY CERTIFY that I served the foregoing Stipulation of Facts and Final Order of Revocation of Right to Apply, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail — Return Receipt Requested, addressed to:

Kimberley Ann Emura PO Box 533 Kekaha, HI 96752-0533

DATED this $5^{\frac{1}{2}}$ day of August, 2013.

By: Yally X

Investigative Assistant