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OCT 05 2004

Teacher Standards &
Practices Commission

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

3 In the Matter of the) STIPULATION OF FACTS
4 Teaching License of) AND
5 JONATHAN KYLE KIMBLE) ORDER OF REPRIMAND

6 On October 23, 2002, the Teacher Standards and Practices Commission (Commission)
7 received a report from Newell G. Cleaver, Superintendent, Grant School District indicating that
8 Jonathan Kyle Kimble (Kimble) was under investigation for theft of property from Grant School
9 District.

10 After a review of the matters alleged, Mr. Kimble and the Commission have agreed that
11 their respective interests, together with the public interest, are best served by a stipulation to
12 certain facts and a imposition of a Public Reprimand.

13 This Order sets forth the facts upon which the parties have agreed and the sanction to
14 be imposed. Mr. Kimble stipulates that there are sufficient facts contained in the Commission's
15 files and records to support the findings of fact and conclusions of law set forth below. In
16 entering into this stipulation, Mr. Kimble waives the right to a hearing to contest the findings of
17 fact, conclusions of law and order set forth below.

18 This stipulation is contingent upon approval and adoption of the Order by the
19 Commission. If the Commission does not adopt this Order, neither Mr. Kimble nor the
20 Commission are bound by these stipulations and he retains all rights to a hearing on the
21 allegations.

STIPULATION OF FACTS

23 1. The Commission issued Mr. Kimble a Transitional Teaching License with an
24 Agricultural Science and Technology Endorsement on August 16, 2000. Said license expired
25 on August 16, 2003. Mr. Kimble has not applied to the Commission for renewal of licensure.

26 2. The Grant School District employed Mr. Kimble as a vocational agriculture teacher at
Grant Union High School during the 2000-2001 and 2001-2002 school years. Mr. Kimble

1 resigned his employment with Grant School District effective July 9, 2002, to accept a position
2 at Liberty High School, Spokane, Washington, where he is currently employed.

3 3. During July 2002, while Mr. Kimble traveled with Grant Union High School Agriculture
4 students, Mrs. Kimble (also a teacher in the district) packed up items in Mr. Kimble's office at
5 Grant Union High School on his behalf. Mr. Kimble owned items similar to those belonging to
6 Grant Union High School. Mr. Kimble failed to unpack those items and verify ownership prior to
7 contact by law enforcement.

8 4. On October 6, 2002, Mark Witty, Principal, Grant Union High School reported to the
9 Grant County Sheriff's Office that property valued at approximately \$3,500 was missing from the
10 Agriculture/Mechanics classroom.

11 5. On August 27, 2003, Mr. Kimble was convicted of Misapplication of Entrusted
12 Property, as defined in ORS 165.095, in the Circuit Court of Oregon for Grant County. The
13 court placed Mr. Kimble on twelve months bench probation; entered a money judgment of
14 \$2,624; and required Mr. Kimble to write a letter of apology to Grant County School District.
15 The Judge indicated that the Court would reduce this misdemeanor conviction to a violation
16 upon successful completion of probation. Mr. Kimble successfully completed his probation and
17 on September 13, 2004, the Court reduced this misdemeanor to a violation.

18 IT IS SO STIPULATED:

19 
20 _____
Jonathan Kyle Kimble

9/27/04

Date

21 
22 _____
Victoria Chamberlain, Executive Director
23 Teacher Standards and Practices Commission

9-27-04

Date

24 **CONCLUSIONS OF LAW**

25 Jonathan Kyle Kimble failed to demonstrate a commitment to use professional judgment
26 in this matter by removing property, or allowing a third party, to remove property belonging to
27 the Grant Union High School in violation OAR 584-020-0010(5). The findings of the Grant

1 County Circuit Court indicate that Mr. Kimble engaged in criminal behavior in violation of OAR
2 584-020-0040(5)(e). This behavior constitutes Gross Neglect of Duty and Gross Unfitness. The
3 Commission's authority to impose discipline in this matter is based upon ORS 342.175.

4 **ORDER**

5 The Commission hereby adopts the above Stipulation of Facts and imposes a Public
6 Reprimand upon the Licensure of Jonathan Kyle Kimble. This Order shall serve as the Public
7 Reprimand.

8 IT IS SO ORDERED this 7 day of October, 2004.

9 Teacher Standards and Practices Commission

10 By: *Victoria Chamberlain*
11 Victoria Chamberlain, Executive Director
12

13
14 Approved as to form:

15 *Barbara J. Diamond*
16 Barbara J. Diamond, OSB# 85039
17 Attorney for Jonathan Kyle Kimble
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