

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

In the Matter of the) OAH CASE NO: 125171
Administrative License of:)
)
MICHAEL DENNIS STRUIKSMA)
)
)
)

On August 2, 2005, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Michael Dennis Struiksma in which the Commission charged Mr. Struiksma with misconduct under ORS 342.175. Mr. Struiksma requested a hearing on August 29, 2005.

On November 25, 2005, Attorney Nick Nylander advised the Commission that he would be representing Mr. Struiksma in this matter. The Commission subsequently filed an Amended Notice of Hearing on November 14, 2005, and the case was referred to Administrative Law Judge Lawrence Smith and scheduled for a hearing on March 27, 2006.

On March 22, 2006, Mr. Nylander notified the Commission, on behalf of Mr. Struiksma, that Mr. Struiksma was withdrawing his request for a hearing. Based on this, the Commission finds Mr. Struiksma to be in default and enters the following findings of fact, conclusions of law and order, based on the files and records of the Commission concerning this matter.

FINDINGS OF FACT

1. Mr. Struiksma holds an Oregon Transitional Administrator's License with an endorsement to serve as an administrator in grades kindergarten through 12. He was employed as the superintendent of the North Bend School District from June 2004 until May 2005, when he resigned his position with the district.
2. On April 21, 2005, Mr. Struiksma engaged in deviate sexual intercourse with another person in a public restroom located in Winchester Bay, Oregon.

3. As a result of his conduct, Mr. Struiksma entered a guilty plea and was convicted of Public Indecency, a violation, in the Justice Court of Douglas County on May 24, 2005.

CONCLUSIONS OF LAW

Mr. Struiksma's conduct constitutes gross unfitness under OAR 584-020-0040(5)(e). His conviction for Public Indecency constitutes gross unfitness under OAR 584-020-0040(5)(c) and gross neglect of duty under OAR 584-020-0040(4)(o) as that rule incorporates OAR 584-020-0035(3)(a).

ORDER

The Commission hereby revokes the Oregon Transitional Administrator License of Michael Dennis Struiksma.

IT IS SO ORDERED this 15 day of May, 2006.

TEACHER STANDARDS AND PRACTICES COMMISSION

By: Victoria Chamberlain
Victoria Chamberlain, Executive Director

NOTICE OF APPEAL OR RIGHTS

YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE 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.

CERTIFICATE OF MAILING

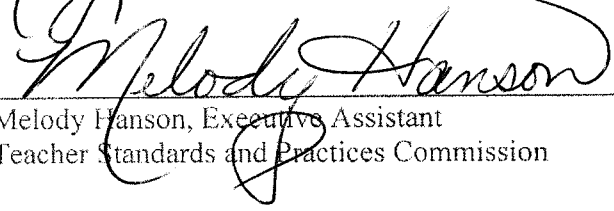
I HEREBY CERTIFY that I served the foregoing order by mailing a true copy thereof certified by me as such by U.S. First Class Mail to:

Nick C. Nylander
Attorney at Law
880 California Street
North Bend, OR 97459

Michael Dennis Struiksma
14054 Pepi Band Road
Draper, UT 84020

DATED this 19th day of May, 2006.

By:


Melody Hanson, Executive Assistant
Teacher Standards and Practices Commission