

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

In the Matter of the)
Application for an)
Educator License of)
SHARON PERRY CRUICKSHANK)

STIPULATION OF FACTS AND
FINAL ORDER OF DENIAL OF APPLICATION
AND SUSPENSION OF RIGHT TO APPLY

On or about March 31, 2014, the Teacher Standards and Practices Commission (Commission) received an application for licensure from Sharon Perry Cruickshank (Cruickshank). In the course of processing that application, the Commission learned that Cruickshank had not complied with professional standards, as described below.

After review of the matters alleged, Cruickshank and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts, denial of Cruickshank's application and the suspension of her right to apply for an Oregon educator license.

This document sets forth the facts upon which the parties have agreed and the stipulated sanction to be imposed. Cruickshank stipulates that there is sufficient evidence in the Commission's files and records to support the findings of fact, conclusions of law, and order set forth below.

By signing below, Cruickshank 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 Denial of Application and 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 Cruickshank 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

1 Stipulated Final Order below; (vi) she states that no promises or representation has been made to
2 induce her to sign this Stipulation and Final Order; and (vii) she has consulted with an attorney
3 regarding this Stipulation and Final Order and has been fully advised with regard to her rights thereto,
4 or waives any and all rights to consult with an attorney prior to entering into this Stipulation and Final
5 Order and issuance and entry of the Stipulated Final Order below.

6 STIPULATION OF FACTS

7 1) Cruickshank has never been licensed as an Educator in Oregon. On March 31, 2014, Cruickshank
8 made application for a teaching license. Cruickshank answered "Yes" to character question
9 number eight (8) regarding her criminal history and background. Cruickshank provided written
10 explanation of her "Yes" answer as part of the application process. Cruickshank's application was
11 referred to professional practices to investigate Cruickshank's criminal history and fitness for duty.
12 Investigation revealed that Cruickshank's criminal history includes misdemeanor convictions for
13 two DUI's and one for refusal to take a chemical test during 2007 and 2008. In July, 2012,
14 Cruickshank also plead guilty to a misdemeanor charge of reckless driving. Cruickshank's
15 responses and explanations provided during her TSPC interview in 2014 were not consistent with
16 the arrest reports. Cruickshank disagreed with the facts as stated in the reports and, according to
17 Cruickshank, provided information that she believed was true and accurate. She does admit that she
18 has had four misdemeanor convictions during the years identified (2007, 2008 and 2012). She has
19 had no further criminal charges or convictions since July 2012 and was assessed in August of 2012
20 as not requiring treatment for alcohol abuse.

21 IT IS SO STIPULATED:

22 Sharon Perry Cruickshank
23 Sharon Perry Cruickshank

4/17/16
Date

24 Victoria Chamberlain
25 Victoria Chamberlain, Executive Director
26 Teacher Standards and Practices Commission

5-16-16
Date

27 CONCLUSIONS OF LAW

28
29 Based on Sharon Perry Cruickshank's conduct, as described above, it was determined that at
30 the time of the Commission's review of this matter, she did not meet the legal definition of good moral
31 character required to hold a license under ORS 342,143(2). This conduct also constitutes gross

neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(2) (*An applicant fails to meet the requirement of ORS 342.143 "good moral character" if the applicant engages in gross neglect of duty, gross unfitness, in violation of section (4) of this rule or other acts which are in violation of sections (1) and (3) of this rule*); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*); and OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(3)(a) (*Maintain the dignity of the profession by respecting and obeying the law, exemplifying personal integrity and honesty*). This conduct also constitutes gross unfitness in violation of ORS 342.175(1)(c); OAR 584-020-0040(5)(c) (*Conviction of violating any federal, state, or local law. A conviction includes any final judgment of conviction by a court whether as the result of guilty plea, no contest plea or any other means*);, and OAR 584-020-0040(5)(e) (*Admission of or engaging in acts constituting criminal conduct, even in the absence of a conviction*).

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

ORDER

The Commission hereby adopts and incorporates herein the above stipulation of facts, conclusions of law, and based thereon hereby suspends Cruickshank's right to apply for an Oregon educator license as follows:

Sharon Perry Cruickshank's right to apply for an Educator License is hereby suspended for one year following the adoption of this order. Prior to application, Cruickshank will provide an alcohol evaluation that has been completed with the six months preceding her application for licensure in Oregon by a provider approved by the Commission.

Furthermore, should Cruickshank make successful application after the suspension period, the Commission imposes a two (2) year probation upon Cruickshank to commence the date of licensure and subject to the following terms and conditions of probation:

1. She will comply with the Standards for Competent and Ethical Performance of Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020.

1 Violation of any term or condition of probation shall constitute an independent basis for the
2 Commission to otherwise impose discipline, up to and including revocation of Cruickshank's teaching
3 license, after first providing Cruickshank with notice and opportunity for hearing.

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6 IT IS SO ORDERED this 20th day of June, 2016.

7 TEACHER STANDARDS AND PRACTICES COMMISSION

8
9 By: Victoria Chamberlain
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Victoria Chamberlain, Executive Director