1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON			
5 5 6 7		Atter of the Educator License of DEFAULT ORDER OF SUSPENSION OF RIGHT TO APPLY FOR AN EDUCATOR LICENSE AND PROBATION		
8	Oı	n May 21, 2020, the Teacher Standards and Practices Commission (Commission) issued a		
9	Notice of	Notice of Opportunity for Hearing to Douglas H. Knox (Knox) in which the Commission charged		
10	him with	m with Gross Neglect of Duty. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail		
11	Receipt 7	eceipt 7018 1830 0001 6178 7497 to the address on file with the Commission. The Notice		
12	designated the Commission file as the record for purposes of proving a prima facie case. The			
13	Certified Mail receipt was returned to the Commission. The regular, first class mail was not returned			
14	to the Commission, and was assumed to have been delivered. The Notice of Opportunity of Hearing,			
15	dated May 21, 2020, and signed by Anthony Rosilez, Executive Director, stated:			
16 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, WITHDRAW YOUR REQUEST FOR HEARING, IF YOU FAIL TO APPEAR AT A HEARING, OR NOTIFY THE COMMISSION THAT YOU WILL NOT APPEAR AT HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."			
25	On June 1, 2020, the Commission received a letter from Knox's attorney requesting a hearing. On			
26	September 11, 2020, Knox's attorney notified the Commission that Knox was withdrawing his			
27	request for a hearing and no longer wished to participate in settlement discussions. The			
28	Commission, therefore, finds Knox to be in default and enters the following findings of fact,			
29	conclusions of law, and final order, based on the files and records of the Commission concerning this			
30	matter.			
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32		FINDINGS OF FACT		
33	1.	Douglas H. Knox has been licensed by the Commission since February 19, 1991. Knox		
34		held a Standard Teaching License, with an endorsement Basic Speech (5-12), and		
35		Standard Language Arts (5-12), valid from July 16, 2013, through July 15, 2018. During		
36		all relevant times, Knox was employed by the Hillsboro School District (HSD).		
37	2.			
38		have committed acts which constitute gross neglect of duty. The district reported that on		
39		or about February 1, 2018, Knox was under the influence of intoxicants at Evergreen		
40		Middle School, Knox's assigned place of duty.		

- 3. Investigation established a pattern of behavior dating back to 2017. On October 30, 2017, an educator reported to a school administrator that he smelled marijuana coming from Knox's classroom and that the smell intensified the closer the educator was to Knox. The administrator met with Knox and reported Knox smelled of marijuana. Knox refused a request to take a field sobriety test with the district's School Resource Officer. Knox denied using marijuana at school and admitted to using marijuana recreationally once per month at home. Knox was given a letter of direction and provided a copy of the district's policy for a drug free workplace.
 - 4. On December 1, 2017, three staff members reported to a school administrator that Knox appeared to be under the influence. The administrator met with Knox and reported Knox's speech was slow and slurred. Knox refused to take a drug and alcohol test in violation of the district's policy on a drug free workplace. Knox told district officials he believed he was having manifestations of a stroke at the time. Knox was again provided a copy of the district's policy on a drug free workplace.
 - 5. On February 1, 2018, witnesses reported to a school administrator that during duty hours, Knox was asleep in the classroom for approximately forty-five (45) minutes, his breath smelled of alcohol, he was off balance, he bumped into tables, he staggered and his speech was slurred and unintelligible. When the administrator confronted Knox about his appearance, Knox denied drinking and refused to take a drug and alcohol test in violation of the district's policy for a drug free workplace. Knox was placed on administrative leave pending completion of a district investigation.
 - 6. On February 5, 2018, Knox submitted OFLA/FMLA leave paperwork and was removed from administrative leave. Knox's OFLA/FMLA leave ended on May 7, 2018, and Knox failed to provide a district requested fit-for-duty report or to set up a due process meeting. In June 2018, Knox submitted his resignation which was accepted by the district.

CONCLUSIONS OF LAW

Knox's conduct described above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0025(2)(e) (*Using district lawful and reasonable rules and regulations*); and OAR 584-020-0040(4)(g) (*Appearing on duty or at any district-sponsored activity while under the influence alcohol or any controlled substance*).

1	The Commission's authority to impose discipline in this matter is based upon ORS 342.175		
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3	FINAL ORDER		
4	The Commission hereby suspends Douglas H. Knox's right to apply for an Oregon educato		
5	license for a period of six (6) months, to begin upon the date this order is signed and in effect.		
6	In addition, the Commission places Knox on probation for a period of three (3) years to		
7	commence upon Knox's reinstatement from suspension. This probation period is subject to the		
8	following terms and conditions:		
9			
10	1. Knox shall comply with the Standards for Competent and Ethical Performance of		
11	Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020.		
12	2. Knox shall complete within ninety (90) days of future application for licensure, an		
13	updated professional drug/alcohol assessment.		
14			
15	Violation of any term or condition of probation shall constitute an independent basis for the		
16	Commission to revoke Knox's right to apply for an Oregon educator license or otherwise impose		
17	discipline, after first providing Knox with notice and opportunity for hearing.		
18			
19	IT IS SO ORDERED THIS 2nd day of September, 2020.		
20	TEACHER STANDARDS AND PRACTICES COMMISSION		
0.1	By:		
21 22	Dr. Anthony Rosilez, Executive Director		
22 23			
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30	NOTICE OF APPEAL OR RIGHTS		
31 32	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE		
33	OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF		
34 35	THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.		