



1 had been under the influence of alcohol while providing substitute teaching services at  
2 Medford High School on or about September 18, 2018.

3  
4 Investigation determined that on September 18, 2018, Hicks was providing substitute  
5 teaching services to a variety of classrooms throughout the day. Near the end of the school  
6 day, Hicks was assigned to a physical education class in the gymnasium. Another PE teacher  
7 observed that Hicks was dropping papers, stumbling when she moved, and was slurring her  
8 words. A second PE teacher present reported that Hicks smelled of alcohol. School  
9 administrators were notified, and Hicks was isolated from students. When escorted to the  
10 office, observers noted Hicks stumbled on the stairs and confirmed that she smelled of  
11 alcohol. When asked if she had been drinking, Hicks replied "Yes", explaining that she was  
12 under stress due to her mother's illness.

13  
14 Based on these observations and Hicks' own admission, school officials contacted ESS who  
15 sent a representative to the building. ESS requested that Hicks submit to an alcohol  
16 screening test, and Hicks complied. At a local medical facility, approximately 90 minutes  
17 after being removed from the classroom, Hicks submitted two breath samples for a blood  
18 alcohol content test (BAC). The first test, administered at 5:58 PM showed Hicks' BAC to be  
19 .209%; her second test, at 6:16 PM showed Hicks' BAC to be .206%. Both test results  
20 indicated Hicks was under the influence of alcohol. Hicks was later removed from the MSD  
21 substitute call list, and on September 20, 2018, ESS terminated Hicks' employment.

22  
23 On May 1, 2019, Hicks was interviewed by Commission investigator(s). Hicks admitted to  
24 purchasing a bottle of wine during her lunch break and drinking half the bottle in the school  
25 parking lot before returning to work. Hicks reiterated that the stress of her mother's illness  
26 and other factors had affected her decision making, and Hicks stressed that she did not have  
27 a dependency problem.

### 28 **CONCLUSIONS OF LAW**

29 Hicks' conduct described above, constitutes gross neglect of duty in violation of ORS  
30 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional*  
31 *judgment*), OAR 584-020-0025(2)(e) (*Using district lawful and reasonable rules and regulations*);  
32 and OAR 584-020-0040(4)(g) (*Appearing on duty or at any district-sponsored activity while*  
33 *under the influence of alcohol or any controlled substance*).

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

2  
3 **FINAL ORDER**  
4

5 The Commission hereby suspends Sharon B. Hicks' Oregon educator license for a period of  
6 ninety (90) days, to begin upon the date this order is signed and in effect.  
7


8 In addition, the Commission places Hicks on probation for a period of two (2) years to  
9 commence upon Hicks' reinstatement from suspension. This probation period is subject  
10 to the following terms and conditions:  
11

- 12 1. Hicks shall comply with the Standards for Competent and Ethical Performance of Oregon  
13 Educators under Oregon Administrative Rules Chapter 584, Division 020.  
14 2. Hicks will submit a full Drug/Alcohol evaluation from a Commission approved provider,  
15 and will participate and successfully complete any treatment as recommended from such  
16 a report.  
17

18 Violation of any term or condition of probation shall constitute an independent basis for  
19 the Commission to revoke Hicks's teaching license or otherwise impose discipline, after  
20 first providing Hicks with notice and opportunity for hearing.  
21

22  
23 IT IS SO ORDERED THIS 7<sup>th</sup> day of October, 2019.

24 TEACHER STANDARDS AND PRACTICES COMMISSION

25 By:   
26 Dr. Anthony Rosilez, Executive Director  
27  
28  
29  
30

31 **NOTICE OF APPEAL OR RIGHTS**  
32

33 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE  
34 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF  
35 THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO  
36 THE OREGON COURT OF APPEALS.