

1 test was required due to multiple coworkers reportedly smelling marijuana on Buckner's
2 person and observing Buckner to show signs of intoxication. Buckner's first urine sample was
3 determined to show signs of tampering and Buckner was required to provide another sample.
4 The second urine sample tested positive for Tetrahydrocannabinol (THC), the intoxicating
5 compound found in marijuana (cannabis). THC is a controlled substance. Buckner's testing
6 indicated no signs of alcohol in his system.

7 Buckner explained to PPSD and the Commission investigator that he had used Cannabidiol
8 (CBD) oil, a non-intoxicating, non-psychoactive derivative of cannabis that does not contain
9 THC. Buckner believed the CBD oil had caused a false positive test. Communications with
10 laboratory testing officials indicated that CBD ingestion does not generally result in positive
11 THC test results and confirmed that Buckner's test was positive for THC. This information
12 combined with the smell of marijuana on Buckner's person and the observations that
13 Buckner appeared intoxicated on campus resulted in PPSD recommending the non-extension
14 of Buckner's teaching contract. On March 1, 2017, Buckner resigned his employment with
15 PPSD effective the last day of the 2016-17 school year.

16 PPSD further found that in addition to being intoxicated at school, Buckner's invalid test
17 sample and denials about ingesting THC indicated Buckner had been untruthful during the
18 PPSD investigation process and had violated school district policies.
19

20 CONCLUSIONS OF LAW

21 Buckner's conduct described above, constitutes gross neglect of duty in violation of ORS
22 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional*
23 *judgment*), OAR 584-020-0025(2)(e) (*Using district lawful and reasonable rules and regulations*);
24 and OAR 584-020-0040(4)(g) (*Appearing on duty or at any district-sponsored activity while*
25 *under the influence of alcohol or any controlled substance*).
26


27 The Commission's authority to impose discipline in this matter is based upon ORS 342.175.
28

29 FINAL ORDER

30
31 The Commission hereby suspends Alexander J. Buckner's right to apply for an Oregon
32 educator license or a period of ninety (90) days, to begin upon the date this order is signed and in
33 effect.
34

1 IT IS SO ORDERED THIS 28th day of January, 2019.

2 TEACHER STANDARDS AND PRACTICES COMMISSION

3 By: 
4 Dr. Anthony Rosilez, Executive Director
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10 NOTICE OF APPEAL OR RIGHTS

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