



SUPERINTENDENT OF PUBLIC INSTRUCTION

RANDY I. DORN OLD CAPITOL BUILDING • PO BOX 47200 • OLYMPIA WA 98504-7200 • <http://www.k12.wa.us>

IN THE MATTER OF THE EDUCATION)	
APPLICATION OF)	OPP No. A10-08-266
)	
Thomas Hollcraft)	DENIAL ORDER
Certificate No. 397722J)	FOR CERTIFICATION
_____)	

COMES NOW the Office of Superintendent of Public Instruction (OSPI), under the authority granted by the laws of the state of Washington, having reviewed the file of the above-referenced case, and having considered the entire evidence contained therein, does hereby deny the education application of Thomas Hollcraft based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. On November 26, 2001, Thomas Hollcraft applied for a Washington educational certificate; OPP No. A02-01-0013.
2. On the Character and Fitness Supplement, a part of the application process, Thomas Hollcraft answered 'yes' to question 11, section II, Professional Fitness, regarding having been the subject of any investigation or inquiry by an employer because of allegations of misconduct; OPP No. A02-01-0013.



3. As part of the Character and Fitness Supplement, Thomas Hollcraft provided a written explanation to his 'yes' answer for question 11, section II, Professional Fitness, stating he was the subject of an investigation by his supervisor concerning the way he handled a violent student who was threatening another student in 1995; OPP No. A02-01-0013.

4. On September 6, 1995, Portland Public Schools issued Thomas Hollcraft a letter of reprimand for losing control and striking a student in the face in an attempt to control a situation. Thomas Hollcraft was issued a verbal warning, by Portland Public Schools, on April 12, 1994 for a similar behavior; OPP No. A02-01-0013.

5. On September 18, 1995, Thomas Hollcraft filed a Teacher Contract Grievance Form with Portland Public Schools stating the written reprimand issued on September 6, 1995 was issued without just cause. The letter of reprimand was upheld; OPP No. A02-01-0013.

6. On April 12, 2002, OPP issued Thomas Hollcraft a Notification of Clearance and a twenty-four (24) month Agreed Order of Stayed Suspension. One condition of the Agreed Order of Stayed Suspension was that "Should Thomas Hollcraft decide to pursue an education certificate in a state other than the state of Washington, Thomas Hollcraft agrees to provide a copy of this Agreed Order of Stayed Suspension to the Department of Education in that state."; OPP No. A02-01-0013.

7. Thomas Hollcraft did not submit an application to lift the 24 month stayed suspension as required in the Agreed Order of Stayed Suspension.

8. From September 20, 2002 through June 13, 2005, Thomas Hollcraft was employed as a substitute teacher for the Evergreen School District. During this time period, multiple district staff requested that Thomas Hollcraft not return as a substitute teacher at their respective schools due to, among other issues, allegations and concerns of inappropriate comments to students.

9. On June 13, 2005, Evergreen School District issued an internal memorandum, Termination Notification, terminating Thomas Hollcraft as a substitute teacher. The memo states that Thomas Hollcraft is restricted in SF (Subfinder) – terminated per Jerry Piland, Evergreen School District Executive Director of Human Resources. Thomas Hollcraft failed to disclose the termination during his August 23, 2010 application for a Washington educational certificate.

10. On January 14, 2004, May 15, 2009 and August 2, 2010, Thomas Hollcraft requested materials from OPP to lift his Stayed Suspension. OPP sent Thomas Hollcraft the requested materials. Thomas Hollcraft did not return the requested material from his 2004 and 2009 requests.

11. The Washington Education Certificate, No. 397722J, of Thomas Hollcraft expired on June 30, 2007.

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12. On January 27, 2009, Thomas Hollcraft submitted an application for an Oregon teaching certificate to Oregon Teacher Standards and Practices Commission (TSCP). On the application, Thomas Hollcraft answered 'no' to the question of "Have you ever been disciplined by any public agency responsible for licensure of any kind, including but not limited to educational licensure". Thomas Hollcraft failed to provide Oregon TSPC with a copy of his Washington Agreed Order of Stayed Suspension, OPP No. A02-01-0013; Oregon TSPC Case No. 901201.

13. Thomas Hollcraft failed to abide by the OSPI Agreed Order of Stayed Suspension by not informing Oregon TSPC of the OSPI Agreed Order of Suspension and by not providing a copy of the OSPI Agreed Order of Stayed Suspension.

14. During Oregon TSPC's investigation of Thomas Hollcraft's application for an Oregon education certificate, Marie Marckx, Thomas Hollcraft's wife, and two (2) of Thomas Hollcraft's physicians contacted an Oregon TSPC investigator to advise that Thomas Hollcraft suffers from a mental impairment and opined that this impairment affects his ability to serve as an educator.

15. On June 17, 2009, after investigation, Oregon TSPC issued a Notice of Denial of Teaching License and Opportunity for Hearing to Thomas Hollcraft. On July 16, 2009, Thomas Hollcraft requested a hearing to contest the denial of his application for a Substitute Teaching License; Oregon TSPC Case No. 901201.

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16. On January 13, 2010, Thomas Hollcraft participated in an administrative law hearing with Oregon TSPC contesting the denial of his application for a Substitute Teaching License; Oregon TSPC Case No. 901201.

17. On February 22, 2010, Senior Administrative Law Judge, Dove L. Gutman issued a Proposed Order denying Thomas Hollcraft application for a Substitute Teaching License for failure to demonstrate sufficient mental or physical health to hold a license and engaging in gross neglect of duty for falsifying his application; Oregon TSPC Case No. 901201.

18. On May 14, 2010, Oregon TSPC issued a Final Order denying Thomas Hollcraft's application for a Substitute Teaching License; Oregon TSPC Case No. 901201.

19. On August 23, 2010, OSPI received Thomas Hollcraft's application for a Washington educational certificate. Thomas Hollcraft signed the application on August 20, 2010.

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20. On the Character and Fitness Supplement, a part of the application process, Thomas Hollcraft answered 'yes' to questions 3, 4, 5, 10 and 11, section II, Professional Fitness, regarding: having been the subject of a certificate or licensing investigation by a certificate or licensing agency for allegations of misconduct; having adverse action taken on any certificate or license; having been denied, or otherwise rejected for cause, an education certificate, credential, or license; having been disciplined by a past or present employer because of allegations of misconduct; and having been the subject of any investigation or inquiry by an employer because of allegations of misconduct. Thomas Hollcraft failed to provide a written explanation of his 'yes' answers to the above listed questions.

21. Thomas Hollcraft falsely answered 'no' to question 8, section II, Professional Fitness, regarding having been dismissed, discharged, or fired from any employment position involving children or dependent adults.


22. Thomas Hollcraft failed to answer questions 3 and 4, section III, Criminal History, regarding being convicted of any crime or violation of any law in the last 10 years and being convicted of any felony crime. Thomas Hollcraft also failed to answer question 6, section IV, Fitness, regarding having a medical condition which in any way impairs or limits you ability to serve in a certificate role with reasonable skill and safety. As required, Thomas Hollcraft did not provide a detailed written explanation of the circumstance leading up to and surround his 'yes' answers on the Character and Fitness Supplement.

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23. On September 9, 2010, OPP sent a letter to Thomas Hollcraft requesting detailed written explanations of the circumstances leading up to and surrounding his 'yes' answers on the Character and Fitness Supplement. OPP also returned the incomplete Character and Fitness Supplement to Thomas Hollcraft and instructed him to complete the highlighted questions and return the supplement.

24. In September of 2010, Thomas Hollcraft returned the Character and Fitness Supplement answering 'yes' to question 3, section II, Criminal History, regarding having been convicted of any crime or violation of any law in the last 10 years and answering 'no' to question 4, section II, Criminal History, regarding having been convicted of any felony crime. Thomas Hollcraft failed to answer question 6, section IV, Fitness regarding having a medical condition which in any way impairs or limits you ability to serve in a certificate role with reasonable skill and safety. Thomas Hollcraft failed to provide detailed written explanations.

25. In September of 2010, OPP received from Thomas Hollcraft literature regarding  disease.

26. On September 20, 2010, OPP received from Thomas Hollcraft a written explanation regarding a traffic citation he received in 2010 for parking in a handicapped stall without the appropriate permit. Thomas Hollcraft also provided an Oregon Department of Revenue payment agreement.

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27. Good moral character and personal fitness is a continuing requirement to maintain a Washington Education Certificate.

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Thomas Hollcraft and over the subject matter of this action.

2. Thomas Hollcraft has failed to provide clear and convincing evidence of good moral character or personal fitness, per Washington Administrative Code (WAC) 181-86-013, to receive a Washington education certificate, WAC 181-86-170.

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ORDER

THEREFORE, it is hereby ordered that the application for certification of Thomas Hollcraft is denied.

This order may be appealed within thirty (30) calendar days from the date of receipt, pursuant to Chapter 181-86 WAC, copy enclosed.

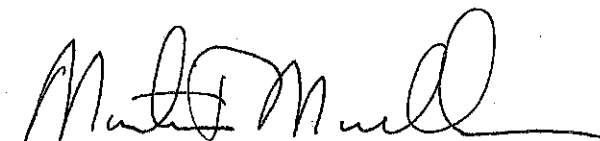
This order will become final thirty days after it is received, unless it is appealed within the thirty day period.

Appeals should be addressed to:

Superintendent of Public Instruction
Office of Professional Practices
PO Box 47200
Olympia, WA 98504

DATED this 14th day of December, 2010.

RANDY I. DORN
Superintendent of Public Instruction
State of Washington



Martin T. Mueller
Assistant Superintendent
Student Support