

i, Nichole Anderson certify that on November 24, 2010, I mailed a copy of this document, certified & postage prepaid, to all parties or their counsel of record. I certify under penalty of perjury, under the laws of the state of Washington, that the foregoing is true and correct.

IN THE MATTER OF THE EDUCATION)
CERTIFICATE OF)
ALAN GROMUS)
Certificate No. 287215H)
_____)

OPP No. D07-10-100
FINAL ORDER OF
REVOCATION

COMES NOW Gene Sharratt, Review Officer of the Office of Superintendent of Public Instruction (OSPI), having reviewed the files of the above-referenced case, and having considered the arguments of each party and the recommendation of the Admissions and Professional Conduct Advisory Committee, does hereby order that the Washington Education Certificate, No.287215H of Alan Gromus be revoked based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. Alan Gromus was issued a Washington Education Certificate, No. 287215H, on July 18, 1990. That certificate currently remains valid.
2. Alan Gromus was employed by the Mount Vernon School District.
3. On October 25, 2007, the Office of Professional Practices, within OSPI, did receive a complaint letter from the superintendent of the Mount Vernon School District alleging a lack of personal fitness, or a violation of the Code of Professional Conduct, Washington Administrative Code (WAC) 181-87, by Alan Gromus.

4. From the 2001-2002 school year through the 2006-2007 school year, Alan Gromus exhibited anger displays towards Mount Vernon High School administrators and Mount Vernon High School staff.

5. Alan Gromus' 2005-2006 Professional Growth Option Plan, under Professional Development, Krista Paulson, Assistant Principal, recommends that Alan Gromus attend Non Violent Conflict Intervention training.

6. On February 22, 2006, Alan Gromus exhibited anger display towards Mount Vernon High School staff in the presence of students.

7. In March of 2006, Alan Gromus exhibited anger displays towards staff, in the presence of students.

8. On March 29, 2006, as a result of the anger displays from February 22, 2006, Alan Gromus received a Letter of Reprimand – Unprofessional Conduct, from Mount Vernon High School principal, David Anderson.

9. Alan Gromus's 2006-2007 annual evaluation is rated as satisfactory overall. In the comments section, Krista Paulson, Assistant Principal, notes that, during the year, there were "some communication barriers and territorial battles between himself and a fellow co-worker."

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10. On September 30, 2007, Alan Gromus assaulted his wife, Pam Gromus, and a neighbor, Greg O'Connor, while armed with a baseball bat. He was arrested at the scene by officers from the Skagit County Sheriff's Office, and booked into the Skagit County Jail; Skagit County Sheriff's Office Case Number 07-15589.

11. On October 1, 2007, Alan Gromus was placed on paid administrative leave by the Mount Vernon School District.

12. On the morning of October 1, 2007, Mount Vernon High School employee, Krista Paulson received a phone call from Pam Gromus giving her details of the assault by her husband Alan Gromus. Krista Paulson gave a written statement to that phone call, and other past history with Alan Gromus to Detective Terry Esskew, with the Skagit County Sheriff's Office.

13. On the evening of October 1, 2007, Mount Vernon High School Assistant Principal, Anita Robertson along with three co-workers, Janice Lint, Jo McDonald, and Kathy Dean, visited Pam Gromus, an instructional aide at Mount Vernon High School, at her home. During that visit, Pam Gromus told them, among other comments, that she had been assaulted by her husband, Alan Gromus, who had also assaulted the neighbor, when he attempted to come to her aid, and that Alan Gromus had recently begun drinking alcoholic beverages.

14. On October 2, 2007, a Skagit County Sheriff's Office Affidavit was filed in Skagit County Superior Court and a Motion for Warrant(Probable Cause) was issued for Alan Gromus's arrest; Skagit County Superior Court Cause #07-1-01098-9.

15. On October 11, 2007, an Information and Declaration of Probable Cause were filed in Skagit County Superior Court, Cause #07-1-01098-9, charging Alan Gromus with: Attempted Murder in the First Degree – Premeditated Murder, Revised Code of Washington (RCW) 9A.32.030(1)(a) or in the alternative Attempted First Degree Murder – Extreme Indifference – RCW 9A.32.030(1)(b); Assault in the First Degree – Firearm or Deadly Weapon. RCW 9A.36.011; and Burglary in the First Degree, RCW 9A.52.020.

16. On October 31, 2007, Rex Febus, Mount Vernon High School teacher, signed a statement for the Skagit County Sheriff's Office stating, among other comments, that he had observed anger displays by Alan Gromus during the time they worked together and that Alan Gromus had, at some time, told him that he had quit drinking alcohol for years and about "three years ago, began drinking again"; Skagit County Sheriff's Office Case Number 07-15589.

17. On December 17, 2007, Alan Gromus received a Notice of Probable Cause for Discharge from the Mount Vernon School District. On December 19, 2007, Alan Gromus submitted a Statutory Notice of Appeal of his employment termination from the Mount Vernon School District.

18. On April 16, 2008, an Amended Information was filed in Skagit County Superior Court, Cause #07-1-01098-9, charging Alan Gromus with two counts of Assault in the First Degree – Inflicts Great Bodily Harm – with deadly weapon enhancement – RCW 9A.36.011(1)

19. On July 3, 2008, a Second Amended Information was filed in Skagit County Superior Court, Cause #07-1-01098-9, charging Alan Gromus with two counts of Assault in the First Degree – Firearm or Deadly Weapon – with deadly weapon enhancement – RCW 9A.36.011(1)(a).

20. On July 10, 2008, after a trial by jury, Alan Gromus was found guilty of two counts of Assault in the First Degree, RCW 9A.36.011. The jury also determined that Alan Gromus was armed with a deadly weapon at the time of the commission of the crime in both counts; Skagit County Superior Court Cause #07-1-01098-9.

21. On July 15, 2008, Alan Gromus, through his attorney, Douglas Wartelle, withdrew his Notice of Appeal over his termination of employment from the Mount Vernon School District.

22. On September 18, 2008, OPP sent a letter to Alan Gromus at the Skagit County Jail along with statement forms to allow him to respond to the allegations listed in the letter of complaint from the Mount Vernon School District.

23. On September 29, 2008, OPP received a one paragraph, unsigned statement from Alan Gromus. It stated that he did not commit the crimes, but was not in the position to elaborate by council of his attorney.

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24. On October 29, 2008, a Judgment and Sentence was entered in Skagit County Superior Court for Cause number: 07-1-01098-9. Alan Gromus was sentenced to: 124 months for each count, to run consecutively, and Community Custody between 24 and 48 months upon release.

25. On November 14, 2008, Alan Gromus filed an appeal of the Skagit County Superior Court conviction with the Washington State Court of Appeals, Division I; Docket No. 62624-8. On March 8, 2010, the Court of Appeals, Division I, issued an unpublished opinion affirming Alan Gromus' convictions.

26. On April 7, 2010, Alan Gromus filed a Petition for Review with the Washington State Supreme Court; No. 84427-5. On August 5, 2010, the Supreme Court denied the Petition for Review.

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 Alan Gromus and over the subject matter of this action.
2. OSPI has shown by clear and convincing evidence, that the Washington Education Certificate, No. 287215 of Alan Gromus, should be revoked as provided for in WAC 181-86-075.
3. Alan Gromus has violated RCW 28A.410.090, WAC 181-86-013, and/or WAC 181-86-014.

ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate, No. 287215H, of Alan Gromus be revoked.

This Order will become final thirty (30) calendar days from the date of receipt of this order unless respondent files an appeal for a formal hearing before the Office of Administrative Hearings. Please direct the appeal and request for formal hearing to Office of Superintendent of Public Instruction, Administrative Law Office, Old Capitol Building, P.O. Box 47200, Olympia, WA 98504-7200.

DATED this 24th day of November 2010.

RANDY I. DORN
Superintendent of Public Instruction
State of Washington


DR. GENE SHARRATT
Review Officer