



SUPERINTENDENT OF PUBLIC INSTRUCTION

Randy I. Dorn Old Capitol Building · PO BOX 47200 · Olympia, WA 98504-7200 · <http://www.k12.wa.us>

RE: Peter Nemeth
OSPI Case No.: D16-02-010
Document: Revocation

Regarding your request for information about the above-named educator; attached is a true and correct copy of the document on file with the State of Washington, Office of Superintendent of Public Instruction, Office of Professional Practices. These records are considered certified by the Office of Superintendent of Public Instruction.

Certain information may have been redacted pursuant to Washington state laws. While those laws require that most records be disclosed on request, they also state that certain information should not be disclosed.

The following information has been withheld: **NONE**

If you have any questions or need additional information regarding the information that was redacted, if any, please contact:

OSPI Public Records Office
P.O. Box 47200
Olympia, WA 98504-7200
Phone: (360) 725-6372
Email: PublicRecordsRequest@k12.wa.us

You may appeal the decision to withhold or redact any information by writing to the Superintendent of Public Instruction, OSPI P.O. Box 47200, Olympia, WA 98504-7200.



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IN THE MATTER OF THE EDUCATION)	
CERTIFICATE OF)	OPP No. D16-02-010
)	
Peter Nemeth)	FINAL ORDER
Certificate No. 302100C)	OF REVOCATION
_____)	

INTRODUCTION

After receiving and investigating a complaint from Spokane Public Schools (Washington) School District regarding the above referenced educator, and based upon the facts available as of the date of this Final Order, the Superintendent of Public Instruction, through his undersigned designee, institutes this proceeding and finds, as described below, that Peter Nemeth lacks the good moral character and personal fitness required of a Washington state certified educator.

I. FINDINGS OF FACT

1. On October 13, 1990, Peter Nemeth, hereafter referred to as Mr. Nemeth, was issued Washington Education Certificate, No. 302100C. That certificate currently remains valid.
2. On or about September 1, 2015, Mr. Nemeth, while at a Spokane area bank, was observed hitting himself in the head with a telephone and making comments concerning injuring himself.
 - a. Mr. Nemeth informed Matt Beal, Ridgeview Elementary School Principal, that he had acted in this manner at the bank because he was upset about a situation involving his repossessed vehicle.
 - b. In September 2015, as instructed by Spokane Public Schools, Mr. Nemeth participated in a mental health evaluation at Northwest Neurobehavioral Institute.
 - c. On September 29, 2015, Christine Guzzardo, PhD, sent her evaluation of Mr. Nemeth to Spokane Public Schools.

3. On January 21, 2016, Mr. Nemeth was placed on administrative leave by the Spokane Public Schools pending an investigation of allegations he had been sleeping while in his classroom with students present.
4. On February 3, 2016, Spokane County Sheriff's Office deputy sheriffs responded to a noise complaint at a Motel 6 in Spokane Valley, WA. Spokane County Sheriff's Office Incident Number 16-039638
 - a. During investigation, Mr. Nemeth informed the deputy sheriffs that he had recently traveled to Seattle to buy heroin for future sales.
 - b. In the hotel room rented by Mr. Nemeth, deputy sheriffs located objects utilized for the consumption of illegal controlled substances, a substance later identified as heroin, a digital scale, cash, and miscellaneous plastic baggies used for storing and selling of controlled substances.
 - c. Mr. Nemeth informed the deputy sheriffs that he has an addiction to methamphetamine.
 - d. Mr. Nemeth was arrested for Possession of a Controlled Substance with the Intent to Deliver, Revised Code of Washington (RCW) 69.50.401 and booked into the Spokane County Jail.
5. On February 5, 2016, an Information and Statement of Investigating Officer Affidavit of Facts were filed in Spokane County Superior Court charging Mr. Nemeth with Possession of a Controlled Substance with the Intent to Deliver, Revised Code of Washington (RCW) 69.50.401(1)(2)(A/B). Spokane County Superior Court Cause #16-1-00488-2
6. On February 8, 2016, Mr. Nemeth signed an Agreement and Release of All Claims with the Spokane Public Schools.
 - a. Pursuant to the agreement, Mr. Nemeth submitted a letter of resignation, resigning his employment effective August 31, 2016.

7. On August 17, 2016, an Amended Information was filed in Spokane County Superior Court charging Mr. Nemeth with Conspiracy to Deliver a Controlled Substance, Revised Code of Washington (RCW) 69.50.401(1)(2)(A/B).

- a. On August 17, 2016, Mr. Nemeth signed a Statement of Defendant on Plea of Guilty to Non-Sex Offense. The Statement of Defendant on Plea of Guilty to Non-Sex Offense was filed on August 18, 2016.
- b. On August 17, 2016, Mr. Nemeth was found guilty, by plea, of Conspiracy to Deliver a Controlled Substance, Revised Code of Washington (RCW) 69.50.401(1)(2)(A/B), and sentenced.

8. On August 31, 2016, OPP sent Mr. Nemeth notice advising him of his opportunity to respond to allegations of misconduct, as per RCW 28A.410.090.

- a. As of the date of this Order, Mr. Nemeth has not responded to OPP.

II. CONCLUSIONS OF LAW

1. Chapter 28A.410 RCW gives the Professional Educator Standards Board the authority to develop regulations determining eligibility for and certification of personnel employed in the common schools of the state of Washington. OSPI acts as the administrator of those statutes and regulations and has the authority to issue, reprimand, suspend, and revoke education certificates. RCW 28A.410.010. (RCW 28A.410.090) WAC 181-86 and WAC 181-87 further implement OPSI's authority.

2. OSPI has jurisdiction over Peter Nemeth and the subject matter discussed herein.

3. Peter Nemeth has committed acts that show a lack of good moral character and personal fitness pursuant to WAC 181-86-013, -014.

4. There is clear and convincing evidence that Peter Nemeth committed acts that show a lack of good moral character and personal fitness pursuant to WAC 181-86-013, -014. WAC 181-86-170 (Burden and Standard of Proof).

5. Pursuant to WAC 181-86-080 eleven factors, at a minimum, are to be considered to determine the appropriate level and range of educator discipline:

1. The seriousness of the act(s) and the actual or potential harm to persons or property;
2. The person's criminal history including the seriousness and amount of activity;
3. The age and maturity level of participant(s) at the time of the activity;
4. The proximity or remoteness of time in which the acts occurred;
5. Any activity that demonstrates a disregard for health, safety or welfare;
6. Any activity that demonstrates a behavioral problem;
7. Any activity that demonstrates a lack of fitness;
8. Any information submitted regarding discipline imposed by any governmental or private entity as a result of acts or omissions;
9. Any information submitted that demonstrates aggravating or mitigating circumstances;
10. Any information submitted to support character and fitness; and
11. Any other relevant information submitted.

6. Based on the foregoing facts and considering them in light of the eleven factors enumerated in WAC 181-86-080, and in light of WAC 181-86-075 (Grounds for Issuance of an Order of Revocation), WAC 181-86-013, and WAC 181-86-014, Peter Nemeth's education certificate should be revoked for a lack of good moral character and personal fitness

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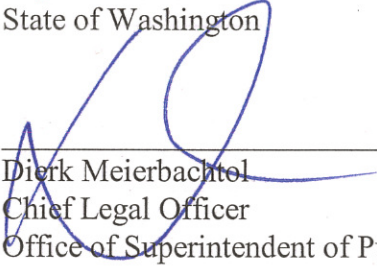
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III. ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate, No. 302100C, of Peter Nemeth be revoked.

DATED This 3rd day of November, 2016.

RANDY I. DORN
Superintendent of Public Instruction
State of Washington



Dierk Meierbachtol
Chief Legal Officer
Office of Superintendent of Public Instruction