



SUPERINTENDENT OF PUBLIC INSTRUCTION

DR. TERRY BERGESON OLD CAPITOL BUILDING • PO BOX 47200 • OLYMPIA WA 98504-7200 • <http://www.k12.wa.us>

IN THE MATTER OF THE EDUCATION)	
CERTIFICATE OF)	OPP No. D07-09-095
)	
)	AGREED ORDER
ESTEBAN CABRERA)	OF SUSPENSION
Certificate No. 428807B)	
)	

COMES NOW the Office of Superintendent of Public Instruction, 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 stipulate by and between the Office of Professional Practices (OPP), Office of Superintendent of Public Instruction (OSPI), and Esteban Cabrera, that the Washington Education Certificate, No. 428807B, of Esteban Cabrera, shall be suspended, based on the Findings of Fact and Conclusions of Law set forth below:

FINDING OF FACTS

1. Esteban Cabrera was issued a Washington Education Certificate, No. 428807B, on July 18, 2005. That certificate currently remains valid.
2. Esteban Cabrera was employed by Educational Service District # 105.

ESTEBAN CABRERA
 AGREED ORDER OF SUSPENSION



3. On September 28, 2007, the Office of Professional Practices, within OSPI, received a complaint letter from the Superintendent of Educational Service District # 105, alleging a lack of good moral character or personal fitness, or a violation of the Code of Professional Conduct, Washington Administrative Code (WAC) 181-87, by Esteban Cabrera.

4. During September of 2007, Mr. Cabrera used ESD #105 computer equipment to access and view sexually explicit material, via the Grandview School District computer network.

5. On September 24, 2007, Mr. Cabrera was issued a letter from Superintendent Gutting, notifying him of the decision to terminate his position, effective September 25, 2007 due to inappropriate use of technology.

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

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Esteban Cabrera and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence that Washington Education Certificate, No. 428807B, of Esteban Cabrera, should be suspended as provided for in WAC 181-86-070.

3. Esteban Cabrera has violated WAC 181-87-060 and/or RCW 28A.410.090.

ORDER

THEREFORE, it is hereby ordered and agreed that the Washington Education Certificate, No. 446539R, of Esteban Cabrera, be suspended for four (4) months from the date of entry of this Order.

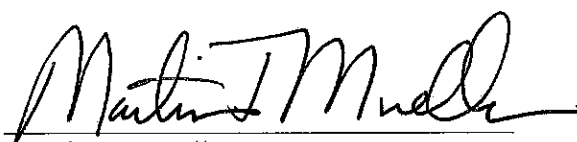
Reinstatement shall require submission of a new application, provided by OPP and having Esteban Cabrera's fingerprints be checked by both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP). Reinstatement shall be also contingent upon Esteban Cabrera's fingerprint background check returning with no criminal convictions that are listed in WAC 181-86-013, RCW 28A.410.090, and/or any felony convictions.

DATED This 21st day of February, 2008.

DR. TERRY BERGESON
Superintendent of Public Instruction
State of Washington

Stipulated to and approved
For entry:


Esteban Cabrera, Respondent


Martin T. Mueller
Assistant Superintendent
Student Support and Operations