

I, Maggie P. certify that on December 17, 2007, 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)
GREG GOMEZ)
DOB: [REDACTED]/1974)

OPP No. A07-04-106
FINAL ORDER OF
DENIAL OF CERTIFICATE

COMES NOW Arlene Hett, 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 deny the certificate application of Greg Gomez, based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. Greg Gomez applied for a Washington education certificate on February 27, 2007 as a teacher education candidate through Heritage College.
2. On the Character and Fitness Supplement, a part of the application process, Mr. Gomez answered 'yes' to questions 1, 2 and 3, Section III, Criminal History section, regarding arrests, fingerprinting and convictions of crimes or violations of the law in the last 10 years.
3. Mr. Gomez provided a written explanation in which he states: About five years ago, I met a girl on the computer. I talked to her for about six months. She told me that she was 20. It turns out that she was only 17. I was arrested and charged with statutory rape. The charge was later dropped to misdemeanor battery. I plead guilty to that charge.

4. Greg Gomez was found at the Sandman Motel in Meridian, Idaho with the minor and taken into custody by the Meridian, Idaho Police Department for Sexual Battery on a minor of 17 years of age, DR 01-5855.

5. On December 4, 2001, a Probable Cause affidavit filed in the Fourth Judicial District of the State of Idaho, County of Ada, DR 01-5855, states that Mr. Gomez first met the 17 year old in a chat room on the internet about November, 2000. She had told Mr. Gomez that she was 20 years old. They decided to meet in person at the Sandman Motel on the 1st or 2nd of November, 2001 at which time they had sexual intercourse. They met at the same motel on December 2, 2001 and had sexual intercourse again.

6. On January 11, 2002, Mr. Gomez pled guilty to the lesser charge of Battery, a Misdemeanor, Ada County, Idaho, Register of Actions, Case M0113652.

7. On January 11, 2002, Mr. Gomez was convicted of Battery, IC 18-903 (Misdemeanor), Judgment of Conviction and Probation order for M0113652.

8. Good moral character and personal fitness is a requirement to attain a Washington education certificate.

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Greg Gomez and over the subject matter of this action.

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

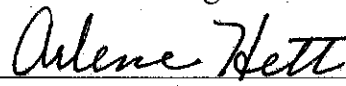
ORDER

THEREFORE, it is hereby ordered that the application for certification of Greg Gomez be denied.

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 17th day of December, 2007.

DR. TERRY BERGESON
Superintendent of Public Instruction
State of Washington



DR. ARLENE HETT
Review Officer