



SUPERINTENDENT OF PUBLIC INSTRUCTION

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

I, *Terry Bergeson*, certify that on 5/20/02, 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)
APPLICATION OF)
)
)
JUSTIN SHORES)
DOB: [REDACTED]/1974)
)

OPP No. A02-02-0102

DENIAL ORDER
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 JUSTIN SHORES based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. Justin Shores applied for a Washington education certificate on November 27, 2001. On the Character and Fitness Supplement, a part of the application process, Mr. Shores answered "no" to questions 1-3, section III (Criminal History). Question 1 states: "In the last ten years, have you ever been arrested for any crime or violation of the law?" Question 2 states: "In the last ten years, have you ever been fingerprinted as a result of any arrest for any crime or violation of the law?" Question 3 states: "In the last ten years, have you ever been convicted of any crime or violation of the law?"

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2. A fingerprint background check through the Federal Bureau of Investigation (FBI), a part of the application process, resulted in the following charges:

- A. August 8, 1995: Charged with Burglary, amended to 1st Degree Criminal Trespass (guilty), 1 year probation, restitution in the amount of \$305.00, other fines \$105.00 and 60 days in jail.
- B. August 15, 2001: Charged with Criminal Trespass 2nd Degree (dismissed), Harassment-Physical (dismissed), Disorderly Conduct (guilty); 2 days in jail, 24 months probation and \$185.00 in fines.
- C. August 29, 2001: Driving Under the Influence (DUI), no disposition.

3. When prompted by the Office of Professional Practices to explain his failure to disclose his criminal history, Mr. Shores provided a written statement that included the following:

I have a tendency to complete paperwork very fast without regards to reading specific information...

My thinking was that I only had to record things that were on my record and I thought my record was clean...

I was under the impression that after 7 years, previous misdemeanors are cleared from ones record, and as a consequence, I thought the Trespassing misdemeanor did not need to be included...

As far as my other two misdemeanors, the DUI I received is currently under the process of being dismissed, the Disorderly Conduct misdemeanor I received was one in which my lawyer told me all I had to do was pay a fine and that it would not show up on my record.

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

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CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Justin Shores and over the subject matter of this action.

2. Justin Shores 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) 180-86-170 (copy enclosed).

3. Justin Shores has violated WAC 180-87 (copy enclosed).

ORDER

THEREFORE, it is hereby ordered that the application for certification of Justin Shores is denied.

This order may be appealed within thirty (30) calendar days from the date of receipt, pursuant to Chapter 180-86 WAC (copy enclosed).

DATED this 20th day of May, 2002.

DR. TERRY BERGESON
Superintendent of Public Instruction
State of Washington

By: Michael L. Bigelow
Michael L. Bigelow
Associate Superintendent
Budget and School Business Services