

I, Maggie Pizar certify that on June 19, 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 )  
 )  
ROBERT D. WILSON )  
DOB: [REDACTED]/1963 )  
\_\_\_\_\_ )

OPP No.: A05-08-0255

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 Robert D. Wilson, based on the Findings of Fact and Conclusions of Law set forth below:

#### FINDINGS OF FACT

1. Robert Wilson applied for a Washington education certificate on July 25, 2005, as a candidate in the teacher education program at Antioch University.
2. On the Character and Fitness Supplement, a part of the application process, Robert Wilson answered 'yes' to questions 1, 2, 3 and 4, Section III, Criminal History, regarding arrests, fingerprinting and conviction of crime or violation of the law in the last 10 years and felony convictions.
3. Robert Wilson submitted a written explanation which indicates the charges that he was convicted and prefaced this information stating that he has had a history of substance abuse and now has five years of sobriety. He listed the convictions and explanations as:
  - Charge 1 - March 15, 2000 - Violation of the Uniform Controlled Substance Act: He was stopped by a police officer for being in a high drug area. He was with other individuals and when the officer searched the car the officer found controlled substances. He was charged and referred to drug court.

- Charge 2 - July 23, 1998 - Violation of Uniform Controlled Substance Act: He was solicited by a man to help him find some drugs. He accepted and they walked until they found some people. The soliciting individual was a police officer.
  - Charge 3 - January 15, 1995 – Forgery: He found a check book and attempted to cash a check fraudulently. He was arrested and then pled guilty to Attempted Forgery in King Court Superior Court, Cause No: 96-1-02556-5.
  - Charge 4 - February 3, 1995 - Violation of the Uniform Controlled Substance Act: He was approached by two men who asked him if he had any drugs. He said yes and went around the corner and picked up some stucco looking material trying to pass it off as cocaine. The men accepted and he later found out the two men were police officers. He was charged and pled guilty to 'burn VUCSA'.
4. A routine check of the fingerprint background of Robert Wilson through the Washington State Patrol and Federal Bureau of Investigations revealed an extensive criminal history dating back to 1989 and as recent as February, 2001. Included were additional arrests and/or convictions that occurred in the last ten years but were not disclosed on the original Character and Fitness Supplement. Those included:
- 2/97 FTA Forgery
  - 12/97 Forgery (arrest only/no charge filed)
  - 7/99 Violation of Uniform Controlled Substance Act – Felony conviction
  - 7/00 Inv VUCSA- Narcotics
  - 2/01 Warrant/Violation of Uniform Controlled Substance Act/Possess without Prescription
5. An additional request from Office of Professional Practices asked for an explanation as to Mr. Wilson's failure to disclose his complete criminal history; a written explanation for each incident; arresting officer reports and court docket or criminal history report for specific arrests.

6. Robert Wilson responded with an apology for not submitting all the information required. He was in the process of gathering the documents for this review; got a print out of his criminal records and proceeded to explain and submit the disclosures for the charges. His record is a reflection of his past years struggling in active drug addiction. Included with the response:

- Defendant case histories for King County District Court and King County Superior Court;
- Dockets for January, 1995 Forgery which shows a dismissal, no charge filed in King County District Court – West Division; Information Document was filed in King County Superior Court on April 16, 1996 under Cause No: 96-1-02556-5. Judgment and Sentence shows guilty plea to Attempted Forgery on June 20, 1997;
- March, 2000 VUCSA which shows a drug court petition and eventual dismissal in April, 2001;
- July, 2000 VUCSA which shows a dismissal of charges in August, 2000.

The requested arresting officer's reports and written explanation for each incident were not included in the information submitted. Mr. Wilson did indicate that the arresting officer's reports were destroyed after a five year period of time.

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

#### CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Robert D. Wilson and over the subject matter of this action.
2. Robert D. Wilson has failed to provide clear and convincing evidence of good moral character or personal fitness to receive a Washington Education Certificate, (WAC) 181-86-170.

**ORDER**

THEREFORE, it is hereby ordered that the application for certification of Robert D. Wilson 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 19th day of June, 2007.

DR. TERRY BERGESON  
Superintendent of Public Instruction  
State of Washington

  
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DR. ARLENE HETT  
Review Officer