

I, Maggie Pisan certify that on June 29, 2005, 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) OPP No. A02-02-0100
)
ALICIA NUNNERY) FINAL ORDER OF
CERTIFICATION OFFICE RECORD NO.: 370429C) 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 submission document from the Office of the Attorney General of Washington and the recommendation of the Admissions and Professional Conduct Advisory Committee (APCAC), does hereby deny the education certificate application of Alicia Nunnery, based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. Alicia Nunnery applied for a Washington education certificate on February 10, 2002.
2. On the Character and Fitness Supplement (C&FS), a part of the application process, Alicia Nunnery answered "yes" to questions 1, 2 and 3 of section III, Criminal History, regarding arrests for crimes or violations of the law in the last 10 years, fingerprinting as a result of any arrests, and convictions of any crimes or violations of any laws in the last 10 years.
3. Alicia Nunnery provided a written statement regarding her 'yes' answers on the C&FS. Ms. Nunnery stated that she was arrested on the sidewalk next to John Muir Elementary School where her two children were enrolled.
4. Beginning in September, 1997, Alicia Nunnery began creating disturbances at John Muir Elementary School. The disturbances included excessive confrontational behavior with staff members at the school. Subsequently, Seattle Public Schools provided Alicia Nunnery with a lettered, dated November 17, 1997, directing her to adhere to specific guidelines when visiting the school. On January 21, 1998, Principal Chan, attempted to

provide Alicia Nunnery with a Seattle Public Schools Criminal Trespass Admonishment form. Alicia Nunnery refused to sign the form.

5. Alicia Nunnery failed to adhere to the guidelines outlined for her in the letter dated November 17, 1997, and on January 22, 1998, she was arrested at John Muir Elementary School by the Seattle Police Department for Criminal Trespass in the 1st degree. The police report stated that for several months Alicia Nunnery failed to adhere to the guidelines outlined for her in the letter and continued to visit the school. The police report further indicated that Alicia Nunnery's children, who attended John Muir Elementary School, were taken to Child Protective Services (CPS). The Criminal Trespass charges were later dismissed.
6. On January 30, 1998, Alicia Nunnery did not pick her two children up from school. The Seattle Public schools contacted the Seattle Police Department. The police picked the children up and took them to Alicia Nunnery.
7. On February 9, 10, and 11, 1998, Alicia Nunnery did not pick up her two children from school. The Seattle Public Schools contacted the Seattle Police Department on all three days for transportation.
8. On February 20, 1998, Alicia Nunnery refused to pick up her daughter who was suspended from school and asserted that her son was not suspended and that he could stay at school for the remainder for the day even though he had been suspended by the school. The Seattle Police Department was called, but Alicia Nunnery fled in a waiting taxi before the police arrived. CPS contacted Alicia Nunnery's brother to pick up both of her children from school.
9. On February 27, 1998, the Seattle Public Schools filed and obtained a Temporary Restraining Order prohibiting Alicia Nunnery from entering into or remaining at John Muir Elementary without first obtaining written consent from a district administrator.

10. On December 11, 2002, and again on January 7, 2003, OPP sent Alicia Nunnery a consent release form for her to sign and return to OPP in order for OPP to discuss her contact with CPS. Alicia Nunnery has failed to return either consent form to OPP.
11. On November 1, 2004, Ms. Nunnery received a Notice of Informal Review, dated October 15, 2004. The date of her hearing by the APCAC was scheduled for December 1, 2004, at 8:30 a.m. Ms. Nunnery did not appear for the scheduled hearing.
12. On December 6, 2004, Ms. Nunnery emailed Charlie Schreck, Terry Bergeson, and Anne Shaw requesting "a reschedule of the December 2nd hearing." This email request was forwarded to Dr. Arlene Hett, Review Officer, on December 6. On December 16, 2004, Ms. Nunnery received a correspondence, dated December 14, 2004, from Dr. Hett allowing Ms. Nunnery to appear at the next APCAC hearing in June 2005.
13. On April 20, 2005, Ms. Nunnery received a Notice of Informal Review, dated April 15, 2005. The date of her hearing by the APCAC was scheduled for June 2, 2005, at 8:30 a.m. Ms. Nunnery did not appear for this hearing. At Noon on June 2, 2005, the APCAC received a note written by hotel staff at the Ramada Inn Governor House that Ms. Nunnery phoned at 9:00 a.m. and said that she could not make it to the hearing.
14. Good moral character and personal fitness is a requirement to attain a Washington education certificate.

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Alicia Nunnery and over the subject matter of this action.
2. Alicia Nunnery 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.

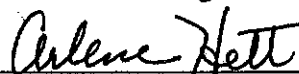
ORDER

THEREFORE, it is hereby ordered that the application for certification of Alicia Nunnery 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 29th day of June, 2005.

DR. TERRY BERGESON
Superintendent of Public Instruction
State of Washington



DR. ARLENE HETT
Review Officer