



SUPERINTENDENT OF PUBLIC INSTRUCTION

RANDY I. DORN OLD CAPITOL BUILDING • PO BOX 47200 • OLYMPIA WA 98504-7200 • <http://www.k12.wa.us>

IN THE MATTER OF THE EDUCATION)
CERTIFICATE OF)

JAMES CARNEGIE)
Certificate No. 451544A)

OPP No. D09-01-004

FINAL ORDER OF)
MANDATORY PERMANENT)
REVOCATION)

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 permanently revoke the Washington Education Certificate, No. 451544A, of James Carnegie, based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. James Carnegie was issued a Washington Education Certificate, No. 451544A, on February 8, 2008. That certificate currently remains valid.
2. James Carnegie was employed as a substitute certified teacher in various Kitsap County school districts.

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3. On January 12, 2009, an investigator with the Office of Professional Practices found information, through local media, that James Carnegie had been charged with Child Molestation in the First Degree with Domestic Violence enhancement, in Kitsap County Superior Court, Cause number 09-1-0016-4, and verified the information with the Kitsap County Superior Court Clerk.

4. During a period from March of 2007 to December of 2008, James Carnegie had sexual contact with KC, a juvenile female relative under the age of six years old, within Kitsap County, Washington.

5. On January 5, 2009, the Kitsap County Prosecuting Attorney filed Information and Certificate of Probable Cause in Kitsap County Superior Court, Cause Number: 09-1-00016-4 charging James Carnegie with one count of Child Molestation in the First Degree with Special Allegation – Domestic Violence: RCW 9A.44.083.

6. On March 10, 2009, James Carnegie signed a Statement of Defendant on Plea of Guilty to Sex Offense (Felony) to one count of Child Molestation in the First Degree with Special Allegation - Domestic Violence; RCW 9A.44.083.

7. On April 20, 2009, James Carnegie was found Guilty by Plea, and a Judgment and Sentence was entered in Kitsap County Superior Court, Cause Number: 09-1-00016-4. James Carnegie was sentenced under the Special Sexual Offender Sentencing Alternative with

Community Custody for the remainder of James Carnegie's life, and the requirement for Sex and Kidnapping Offender Registration.

8. On May 15, 2009, an OPP investigator sent James Carnegie a letter to allow him the opportunity to respond to the allegations and conviction information.

9. On May 22, 2009, OPP received a statement from James Carnegie denying some of the allegations and admitting to others. In his statement he said he expected his certificate would be revoked due to his conviction.

10. James Carnegie has pleaded guilty or been convicted of a crime identified in Revised Code of Washington (RCW) 28A.410.090(3). Such a plea or conviction authorizes OSPI to permanently revoke the Education Certificate.

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

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CONCLUSIONS OF LAW

1. OSPI has jurisdiction over James Carnegie and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence that the Washington Education Certificate, No. 451544A, of James Carnegie, should be revoked, as provided for in WAC 181-86-075.

3. James Carnegie has violated; WAC 181-86-013, and/or WAC 181-86-014, RCW 28A.410.090, and RCW 9A.44.083.

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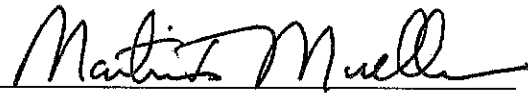
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ORDER

It has been thirty days since the Proposed Order of Mandatory Permanent Revocation was received. The appeal time period has passed. It is hereby ordered that the Washington Education Certificate, No. 451544A, of James Carnegie is revoked.

DATED This 6th day of July, 2009.

RANDY I. DORN
Superintendent of Public Instruction
State of Washington



Martin T. Mueller
Assistant Superintendent
Student Support