



# SUPERINTENDENT OF PUBLIC INSTRUCTION

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

June 3, 2009

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Idaho Correctional Institution, Orofino C1  
Attn: Inmate Timothy Kellis #90973  
Hospital Drive North #23  
Orofino, ID 83544

**OPP No.:** D08-04-026  
**Certificate No.:** 385684F

Dear Mr. Kellis:

Enclosed is a Final Order of Mandatory Permanent Revocation. You may appeal as indicated in the enclosed order.

Thank you for your cooperation in this matter.

Sincerely,

Dr. Gene Sharratt  
Review Officer

**RECEIVED**

JUN 04 2009

OFFICE OF PROFESSIONAL PRACTICES

GS:mp

Enclosure

cc: Ms. Kristen M. Byrd, Assistant Attorney General  
✓ Ms. Anne O. Shaw, Assistant Attorney General  
✓ Mr. Charles Schreck, Office of Professional Practices

I, Maggie Ray certify that on June 13, 2009, 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 )  
TIMOTHY KELLIS )  
CERTIFICATE NO. 385684F )  
\_\_\_\_\_ )

OPP No. D08-04-026

FINAL ORDER OF MANDATORY  
PERMANENT REVOCATION

COMES NOW Gene Sharratt, 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 order that the Washington Education Certificate, No. 385684F, of Timothy Kellis be permanently revoked based on the Findings of Fact and Conclusions of Law set forth below:

**FINDINGS OF FACT**

1. Timothy Kellis was issued a Washington Education Certificate, No.385684F, on March 26, 2001. That certificate currently remains valid.
2. Timothy Kellis was employed by the Tumwater School District.
3. On April 21, 2008, the Office of Professional Practices, within OSPI, did receive a complaint letter from Terry Borden, Superintendent of the Tumwater School District, alleging a lack of personal fitness, or a violation of the Code of Professional Conduct, Washington Administrative Code (WAC) 181-87, by Timothy Kellis.

4. From the Fall months of 2003 through 2006, Timothy Kellis intentionally had sexual contact and sexual intercourse with a juvenile male on more than one occasion; Clarkston, WA Police Department Incident Number 08P02498

5. On or about July 2007 through August 2007, while working as a counselor at Boy Scout Camp Grizzly in Latah County, Idaho, Timothy Kellis intentionally had sexual contact and sexual intercourse with, at least, four (4) males, all under the age of sixteen years; Idaho State Police Department Case No. D08000019 and District Court of the Second Judicial District of the State of Idaho (Latah County District Court) Case No. CR-2008-0001662 and CR-2008-0001180.

6. On April 10, 2008, Idaho State Police initiated an investigation into allegations of sexual misconduct, involving several juvenile males, by Timothy Kellis; Idaho State Police Department Case No. D08000019.

7. On April 12, 2008, Timothy Kellis was arrested by Idaho State Police Detectives and booked into the Latah County, Idaho Sheriff's Office Jail on charges of Sexual Abuse of a Child under the age of Sixteen (Idaho Code 18-1506) and Lewd Conduct with a Minor Child under Sixteen (Idaho Code 18-1508) ; Idaho State Police Department Case No. D08000019.

8. On April 14, 2008, a Criminal Complaint and Warrant of Arrest were filed in the District Court of the Second Judicial District of the State of Idaho, in and for the County of Latah (Latah County District Court), charging Timothy Kellis with Sexual Abuse of a Child, Idaho Code 18-1506, Lewd Conduct with a Minor Under Sixteen Years of Age, Idaho Code 18-1508, Lewd

Conduct With a Minor Under Sixteen years of Age, Idaho Code 18-1508; Case No. CR-2008-0001180.

9. On April 16, 2008, Timothy Kellis was placed on Paid Administrative Leave, effective April 17, 2008, by Bob Kuehl, Executive Director of Human Resources for the Tumwater School District.

10. On May 2, 2008, Timothy Kellis received a Letter of Nonrenewal from Terry Borden, Superintendent of the Tumwater School District.

11. On May 12, 2008, Grand Jury Inquest #13, in the District Court of the Second Judicial District of the State of Idaho, in and for the County of Latah, issued an Indictment charging Timothy Kellis with ten (10) counts of Lewd Conduct with a Minor, Under Sixteen Years of Age, Idaho Code 18-1508 and two (2) counts of Sexual Abuse of a Child, Idaho Code 18-1506; Latah County District Court (District Court of the Second Judicial District of the State of Idaho) Case No. CR-2008-0001180.

12. On May 15, 2008, Clarkston, WA Police Department initiated an investigation into allegations of sexual contact and intercourse with juvenile males by Timothy Kellis; Clarkston Police Department Incident No. 08P02498.

13. On June 16, 2008, an Arrest Warrant was issued in Latah County District Court for Timothy Kellis for failure to comply with conditions of release.

14. On June 18, 2008, Timothy Kellis was arrested on the outstanding warrant out of Latah County District Court.

15. On July 09, 2008, an Information and Probable Cause statement were filed in Asotin County, Washington Superior Court charging Timothy Kellis with Rape of a Child 2<sup>nd</sup> Degree, RCW 9A.44.076; Asotin County Superior Court Cause # 08-1-00128-0.

16. On September 19, 2008, Timothy Kellis was found guilty, by jury, of ten (10) counts of Lewd Conduct with a Minor, Under Sixteen Years of Age, Idaho Code 18-1508 and two (2) counts of Sexual Abuse of a Child, Idaho Code 18-1506; Case No. CR-2008-0001662.

17. On November 25, 2008, The District Court of the Second Judicial District of the State of Idaho, in and for the county of Latah, sentenced Timothy Kellis and issued a Judgment of Conviction for Timothy Kellis; Case No. CR-2008-0001662. Timothy Kellis was sentenced to: for Counts I, II, III, V, VI, VII, VIII, IX, and X, the defendant be committed to the custody of the Idaho State Board of Correction for a period of LIFE; Pursuant to Idaho Code 19-2513, the defendant shall serve a minimum period of confinement of not less than FIFTEEN (15) YEARS, during which the defendant shall not be eligible for parole or discharge or credit or reduction of sentence for good conduct except for meritorious service; after said FIFTEEN (15) YEAR minimum period confinement, the defendant shall subsequently be confined for a maximum indeterminate period of LIFE; Timothy Kellis stands convicted of Attempted Lewd Conduct with a Minor Under Sixteen Years of age, Idaho Code 18-306, 1508, a felony, as contained in Count IV of the Amended Indictment and shall be committed to the custody of the Idaho Board of correction for a period of FIFTEEN (15) YEARS; the defendant shall serve a minimum period of confinement of not less than FIVE (5) YEARS during which the defendant shall not be eligible for parole or discharge or credit or reduction of sentence for good conduct except for meritorious service; after said FIVE (5) YEAR minimum period of confinement, the defendant shall

subsequently be confined for a maximum indeterminate period of TEN (10) YEARS; Timothy Kellis stands convicted of the crimes of Sexual Abuse of a Child, Idaho Code 18-1506, felonies in two (2) counts, as contained in Counts XI and XII of the Amended Indictment and that on each count the defendant be committed to the custody of the Idaho State Board of Correction for a period of TWENTY-FIVE (25) YEARS; the defendant shall serve a minimum period of confinement of not less than FIFTEEN (15) YEARS, during which the defendant shall not be eligible for parole or discharge or credit or reduction of sentence for good conduct except for meritorious service; after said FIFTEEN (15) YEAR minimum period of confinement, the defendant shall subsequently be confined for a maximum indeterminate period of TEN (10) YEARS; sentences on each count shall run concurrently and the defendant shall receive credit for 148 days served; Timothy Kellis is ordered to pay court costs of \$300.50 on each count for a total of \$3606.00; submit a DNA sample and thumbprint; and Timothy Kellis shall fully comply with the provisions of Idaho Code 18-8301, (The "Sexual Offender Registration Notification and Community Right-to-Know Act").

18. Idaho Code 18-1508, Lewd Conduct with Minor Child under Sixteen, and Idaho Code 18-1506, Sexual Abuse of a Child under Sixteen, are similar in wording to crimes listed in RCW 9A.44, Sex Offenses.

19. Timothy Kellis 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.

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

**CONCLUSIONS OF LAW**

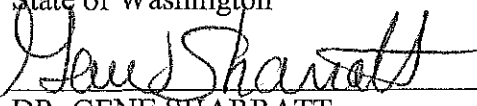
1. OSPI has jurisdiction over Timothy Kellis and over the subject matter of this action.
2. OSPI has shown by clear and convincing evidence that the Washington Education Certificate, No. 385683F, of Timothy Kellis, should be revoked, as provided for in WAC 181-86-075.
3. Timothy Kellis has violated: RCW 28A.410.090, WAC 181-86-013, and/or WAC 181-86-014.

**ORDER**

Therefore, it is hereby ordered that the Washington Education Certificate, No. 385684F, of Timothy Kellis be permanently revoked.

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 3rd day of June, 2009.

RANDY I. DORN  
Superintendent of Public Instruction  
State of Washington  
  
DR. GENE SHARRATT  
Review Officer