

SUPERINTENDENT OF PUBLIC INSTRUCTION

JUDITH A. BILLINGS

OLD CAPITOL BUILDING • PO BOX 47200 • OLYMPIA WA 98504-7200

SUPERINTENDENT OF PUBLIC)
INSTRUCTION)

v.)

DAVID TURYA)
Certificate No. 276804B)

**FINAL ORDER
OF PERMANENT REVOCATION**

OPP No. D92-10-098

Thirty calendar days have transpired since the mailing to you of a Proposed Order of Permanent Revocation. Your failure to make a timely appeal of such order authorizes this agency to issue a Final Order of Permanent Revocation based on the Findings of Fact and Conclusions of Law set forth in the Proposed Order of Permanent Revocation. The following is hereby entered:

FINDINGS OF FACT

1. On October 12, 1992 you were charged by the Pierce County Office of the Prosecuting Attorney for Rape of a Child in the First Degree, a felony.
2. You pled guilty on July 26, 1993 in the Pierce County Superior Court to one count of Rape of a Child in the First Degree, a felony sex offense as defined by RCW 9.94A.030 (29) (a).
3. The Court has ordered that you will not have any contact with any minor; you will not frequent establishments where minor children are likely to be present such as school playgrounds, parks, roller skating rinks, video arcades, nor take up residence where minors reside.

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4. You will register with the Washington State Patrol as a Sex Offender.

5. You are ordered to undergo outpatient sex offender treatment for 36 months.

CONCLUSIONS OF LAW

1. Based on the above Findings of Fact, the Superintendent of Public Instruction has determined David Turya lacks the good moral character and personal fitness required by WAC 180-75-081 to serve as a certificated employee in the schools of this state.

WAC 180-75-081 **Good moral character and personal fitness:** As fitness" means character and personal fitness necessary to serve as a certificated employee in schools in the state of Washington, including character and personal fitness to have contact with, to teach, and to perform supervision of children. Good moral following:

(1) No conviction of any felony crime involving...

(d) Sexual offenses where a child is the victim under chapter 9A.44 RCW...

2. In addition, you have a behavior problem which endangers the educational welfare or personal safety of students. This determination is based upon your guilty plea.

WAC 180-75-081 **Good moral character and personal fitness.**

(3) No behavior problem which endangers the educational welfare or personal safety of students, teachers, or other colleagues within the educational setting.

3. Based on the above Findings of Fact, the Superintendent of Public Instruction has determined that you violated the Code of Professional Conduct as set forth in WAC 180-87-080 **Sexual Misconduct with Students** (copy attached).

4. Based upon the Findings of Fact, you have violated RCW 28A.410.090.

RCW 28A.410.090 Revocation or suspension of certificate or permit to teach--Mandatory revocation for crimes against children. (1) Any certificate or permit authorized under the provisions of this chapter, Chapter 28A.405 RCW, or rules and regulations promulgated thereunder may be revoked or suspended by the authority authorized to grant the same upon complaint. . . for immorality, violation of written contract, unprofessional conduct, intemperance, or crime against the law of the state.


(2) Any such certificate or permit authorized under this Chapter 28A.405 RCW shall be revoked by the authority to grant the certificate upon a guilty plea or the conviction of any felony crime involving . . . sexual offenses under Chapter 9A.44 RCW where a minor is the victim . . . Mandatory permanent revocation upon a guilty plea or the conviction of felony crimes specified under this subsection . . .

ORDER

Mandatory permanent revocation follows upon a guilty plea or the conviction of felony crimes specified in RCW 28A.410.090, including sexual offenses where a minor is the victim.

THEREFORE, it is ordered that the education certificate No. 276804B of DAVID TURYA shall be, and the same hereby, is revoked.

Dated this 22nd day of July, 1994



JUDITH A. BILLINGS
Superintendent of Public Instruction
State of Washington