



# SUPERINTENDENT OF PUBLIC INSTRUCTION

DR. TERRY BERGESON OLD CAPITOL BUILDING • PO BOX 47200 • OLYMPIA WA 98504-7200 • <http://www.k12.wa.us>

November 10, 2003

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Gerald Fingarson  
[REDACTED]  
[REDACTED]

RE: Certificate No. 226659A  
OPP No. D02-06-081

Dear Mr. Fingarson:

The Office of Professional Practices has received a letter from your attorney, Mr. Gawley, which withdraws your appeal of the Proposed Order of Revocation issued by this office on January 9, 2003.

As you are not contesting this Proposed Order of Revocation, it is now considered final.

If you have any questions, please contact Charles Schreck, Director, Office of Professional Practices at (360) 725-6136.

Sincerely,

Marcia L. Riggers  
Assistant Superintendent  
Student Support and Operations

MLR:mmm

c: Anne Shaw, Assistant Attorney General  
Michael Gawley, Attorney at Law  
Nick Hawkinson, Lead Investigator  
Sue Pennington

I, , certify that on 11/17/03, 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.



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IN THE MATTER OF THE EDUCATION )  
CERTIFICATE OF )  
)  
)  
Gerald Fingarson )  
Certificate No. 226659A )  
\_\_\_\_\_ )

OPP No. D02-06-081

ORDER OF 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 revoke the Washington education certificate, No. 226659A, of Gerald Fingarson, based on the Findings of Fact and Conclusions of Law set forth below:

### FINDINGS OF FACT

1. Gerald Fingarson was issued a Washington Education Certificate, No. 226659A, on March 17, 1978. That certificate currently remains valid.
2. Gerald Fingarson was employed by the Bremerton School District.
3. On June 10, 2002, the Office of Professional Practices, within OSPI, received a complaint letter alleging a lack of good moral character or personal fitness by Gerald Fingarson.

GERALD FINGARSON  
ORDER OF REVOCATION

4. On March 27, 2002, at 11:12 P.M., A vehicle registered to Gerald Fingarson was stopped by a State Trooper in Kitsap County. The Trooper's investigation found that the driver of the vehicle was an eighteen-year old female student at Bremerton High School where Gerald Fingarson was employed at that time. The female student was arrested for driving while under the influence of alcohol. Gerald Fingarson was the only passenger in the car, and appeared to be intoxicated. There were open containers of beer in the vehicle.

5. On May 16, 2002, the female student was interviewed by Police. She stated that Gerald Fingarson had taken her to dinner and furnished alcohol to her on the night of the arrest, and was amorous towards her. She further stated that Gerald Fingarson had contacted her at work and at home and had attempted to instruct her about what she should tell investigators.

6. On November 4, 2002, Gerald Fingarson pled guilty in Kitsap County Superior Court to tampering with a witness, a class C felony crime under RCW 9A.72.120.

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

#### CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Gerald Fingarson and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence, that the Washington education certificate, No. 226659A, of Gerald Fingarson, should be revoked as provided for in WAC 180-86-075.

3. Gerald Fingarson has violated WAC 180-87, WAC 180-86-013, and WAC 180-86-014.

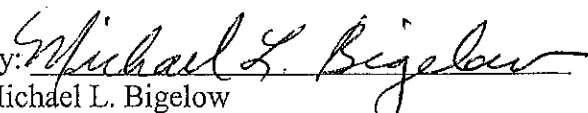
**ORDER**

THEREFORE, it is hereby ordered that the Washington education certificate, No. 226659A, of Gerald Fingarson be revoked.

This order may be appealed within thirty (30) calendar days from the date of receipt, pursuant to Chapter 180-86 WAC, copy enclosed.

DATED This 9th day of January, 2003.

DR. TERRY BERGESON  
Superintendent of Public Instruction  
State of Washington

By:   
Michael L. Bigelow  
Associate Superintendent  
Budget and School Business Services