



SUPERINTENDENT OF PUBLIC INSTRUCTION

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

IN THE MATTER OF THE EDUCATION)	
CERTIFICATE OF)	OPP No. D06-11-085
)	
Janet Kilmer)	FINAL ORDER
Certificate No. 393261C)	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. 393261C, of Janet Kilmer, based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. Janet Kilmer was issued a Washington Education Certificate, No. 393261C, on November 29, 2001. That certificate expired on June 30, 2008. The actions described in the Findings of Fact #1 through #8 occurred while Washington Education Certificate, No. 393261C was valid.

2. Janet Kilmer was employed with The Hair School in Port Angeles, Washington. The Hair School had a contract with the Port Angeles School District to provide instruction to students attending the North Olympic Skills Center.

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3. On December 19, 2005, the Office of Professional Practices, within OSPI, received a complaint letter from the superintendent of the Port Angeles School District alleging a lack of good moral character or personal fitness, or a violation of the Code of Professional Conduct, Washington Administrative Code (WAC) 181-87, by Janet Kilmer.

4. From September 1, 2002 to July 31, 2004, Ms. Kilmer, during her employment as bookkeeper at The Hair School, took, without authorization, between \$19,787 and \$50,000 from The Hair School.

5. On December 7, 2005, an Information, Certification for Probable Cause, and Motion for Determination of Probable Cause were filed in Clallam County Superior Court charging Ms. Kilmer with: Use of Proceeds of Criminal Profiteering, RCW 9A.82.080; three (3) counts of Theft 1st Degree, RCW 9A.56.010; and three (3) counts of Money Laundering, RCW 9A.56.030. The Clallam County Superior Court Cause number for the matter is 05-1-00603-9.

6. On November 14, 2006, OPP sent Ms. Kilmer a letter advising her that an investigation was being initiated after receipt of a complaint letter from the superintendent of the Port Angeles School District. The letter was sent via certified mail with a return receipt requested. OPP received the return receipt card.

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7. On July 10, 2007, OSPI Certification Office received an Application for Washington State Career and Technical Education Conditional Certificate and accompanying Character and Fitness Supplement (C&F). In Section II of the C&F, Ms. Kilmer failed to answer the questions of: "Are you currently or have you ever been the subject of any certificate or licensing investigation or inquiry by an certification or licensing agency for allegations of misconduct?"; and "Are you currently or have you ever been the subject of any investigation or inquiry by an employer because of allegations of misconduct?".

8. In Section III of the C&F, Ms. Kilmer failed to answer the questions of: "In the last 10 years, have you ever been arrested for any crime or violation of law?"; "In the last 10 years, have you ever been fingerprinted as a result of any arrest for any crime or violation of law?"; "Do you currently have any outstanding criminal charges or warrants of arrest pending against you?"; and "Have you ever been or are you presently under investigation in any jurisdiction for possible criminal charges?".

9. On July 3, 2008, Ms. Kilmer signed a Statement of Defendant on Plea of Guilty for Clallam County Superior Court Cause # 05-1-00603-9. Ms. Kilmer pleaded guilty to: Theft 1st Degree, RCW 9A.56.030.

10. On July 24, 2008, Ms. Kilmer was found guilty by plea of Theft 1st Degree, RCW 9A.56.030, and sentenced to: \$40,000 restitution; \$945 other costs and fines; sixty-four (64) days confinement; thirty (30) days are converted to 240 hours of community restitution under the supervision of the Department of Corrections; and other conditions.

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

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Janet Kilmer and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence, that the Washington Education Certificate, No. 393261C, of Janet Kilmer, should be revoked as provided for in WAC 181-86-075.

3. Janet Kilmer has violated RCW 28A.410.090, WAC 181-86-013, and/or WAC 180-86-014.

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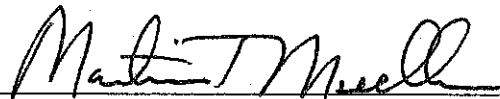
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ORDER

It has been thirty days since the Proposed Order of Revocation was received. The appeal time period has passed. It is hereby ordered that the Washington Education Certificate, No. 393261C, of Janet Kilmer is revoked.

DATED This 4th day of December, 2008.

DR. TERRY BERGESON
Superintendent of Public Instruction
State of Washington



Martin T. Mueller
Assistant Superintendent
Student Support