



SUPERINTENDENT OF PUBLIC INSTRUCTION

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

June 30, 2003

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Cheri Woodruf Dietzen
[REDACTED]
[REDACTED]

RE: Certificate No. 346122E
OPP No. D01-01-009

Dear Ms. Dietzen:

Thirty days have transpired since your receipt of your Proposed Final Order of Stayed Suspension issued by the Admissions and Professional Conduct Advisory Committee (APCAC).

You have not appealed that Proposed Final Order of Stayed Suspension. Therefore, the order is now considered final.

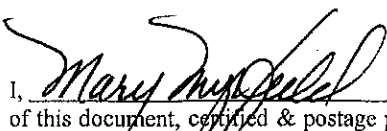
If you have any questions, please contact Charles Schreck, Manager, Office of Professional Practices at (360) 725-6136.

Sincerely,

Marty S. Daybell
Deputy Superintendent, Administration and Operations
Chief Information Officer

MSD:mm

c: Anne Shaw, Assistant Attorney General
Kevan T. Montoya, Attorney at Law
Nick Hawkinson, Lead Investigator
Sue Pennington

I, , certify that on 7/3/03, 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.

I, Maggie Pazar certify that on May 28, 2003, 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)
)
CHERI W. DIETZEN)
CERTIFICATE NO. 346122E)
_____)

OPP No. D01-01-009

PROPOSED FINAL ORDER
OF STAYED SUSPENSION

COMES NOW Lin Douglas, the Informal Review Officer of the Superintendent of Public Instruction, 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 propose a one year stayed suspension of the Washington Education Certificate, No. 346122E, of CHERI W. DIETZEN based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. Cheri W. Dietzen was issued Washington Education Certificate, No. 346122E, on July 15, 1996. Cheri W. Dietzen currently holds a valid Initial Teacher Certificate.
2. Cheri W. Dietzen was employed by the Zillah School District during the 2000/01 school year.
3. On or about January 8, 2001, the Office of the Superintendent of Public Instruction received a letter from the superintendent of the Zillah School District alleging unprofessional conduct by Cheri W. Dietzen.
4. On or about November 10, 1999, the principal of Zillah Intermediate School issued Cheri W. Dietzen a written reprimand regarding inappropriate conduct. Cheri W. Dietzen confronted and verbally chastised a staff member in the presence of other staff and students. Cheri W. Dietzen was advised not to repeat her inappropriate behavior.

5. On or about October 11, 2000, the superintendent of the Zillah School District placed Cheri W. Dietzen on administrative leave with pay pending an investigation regarding allegations of improper and unprofessional conduct.
6. On or about February 7, 2001, the superintendent of the Zillah School District issued a Notice of Probable Cause for Discharge to Cheri W. Dietzen citing public humiliation and ridicule of students, not following student IEP's, using inappropriate language to and about students, use of harsh discipline with students, showing anger when dealing with students, using excessive force with students, as well as staff related concerns.
7. On or about May 15, 2001, Cheri W. Dietzen entered into a Resignation, Settlement and Release Agreement with the Zillah School District. Cheri W. Dietzen submitted her unconditional and irrevocable resignation from all contracted duties with the Zillah School District effective June 8, 2001, in exchange for monetary and other considerations.
8. Investigation by the Office of Professional Practices (OPP) reveals that on more than one occasion, Cheri W. Dietzen, while employed with the Zillah School District, engaged in behavior that was verbally abusive and/or humiliating to special education students and/or staff, used excessive and unnecessary physical force with special education students, and applied physical restraints to special education students unnecessarily, in technique and purpose.
9. Investigation by OPP revealed that on or about August 15, 2001, Cheri W. Dietzen completed an application for employment with the Pasco School District No. 1. In the section titled "Certificated School Experience" Cheri W. Dietzen listed the Zillah School District as a previous employer. Cheri W. Dietzen omitted answering/completing the section titled "Reason for Discontinuing Position". Further, Cheri W. Dietzen signed and dated the portion of the application titled "Signature Release" which reads in part, "All of the information I have provided in this application is true, correct and complete." Cheri W. Dietzen falsified her

application for employment with the Pasco School District by omitting a material fact regarding the reason for discontinuing her employment with the Zillah School District.

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

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Cheri W. Dietzen and over the subject matter of this action.
2. OSPI has shown by clear and convincing evidence, that the Washington Education Certificate, No. 346122E, of Cheri W. Dietzen, should be suspended as provided for in WAC 180-86-070.
3. Cheri W. Dietzen has violated Washington Administrative Code (WAC) 180-86, WAC 180-87, WAC 392-172 and Revised Code of Washington (RCW) 28A.410.

ORDER

THEREFORE, it is hereby proposed that the Washington Education Certificate, No. 346122E, of CHERI W. DEITZEN be subject to a twelve (12) month stayed suspension.

Removal of the stayed suspension shall require:


1. Successful completion of an evaluation related to anger management, career counseling and choices, classroom management, and management of classroom staff conducted by an OPP approved health care provider; Ms. Dietzen shall bear the full cost of the evaluation;
2. Successful completion of any recommended treatment resulting from provision #1 as verified by written records provided to OPP; and

3. School district written verification of no occurrence of events similar to those described in the Findings of Fact.

This Proposed 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 28th day of May, 2003

DR. TERRY BERGESON
Superintendent of Public Instruction
State of Washington



LIN DOUGLAS
Informal Review Officer