



SUPERINTENDENT OF PUBLIC INSTRUCTION

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

I, Mary Myrland, certify that on 4/24/02, 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)

OPP No. D00-08-094

Scott M. Caldwell)
Certificate No. 331300D)

AGREED ORDER OF)
SUSPENSION)

COMES NOW the Office of Superintendent of Public Instruction, 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 stipulate by and between the Office of Professional Practices (OPP), Office of Superintendent of Public Instruction (OSPI), and Scott M. Caldwell, that the Washington education certificate, No. 331300D, of Scott M. Caldwell, shall be suspended, based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. Scott Caldwell was issued a Washington education certificate, No. 331300D, on July 7, 1994. That certificate currently remains valid.
2. Scott M. Caldwell was employed by the Northshore School District.

SCOTT M. CALDWELL
AGREED ORDER OF SUSPENSION -1-

3. On August 9, 2000, the Office of Professional Practices, within OSPI, received a complaint letter from the Superintendent of the Northshore 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) 180-87, by Scott M. Caldwell.
4. On or about April 9, 2000, Tina Rogert, night custodian, discovered pornographic material on the school district computer located in Scott Caldwell's classroom.
5. On or about April 24, 2000, [REDACTED] [REDACTED], a student, viewed pornographic material on the school district computer assigned to Scott Caldwell. [REDACTED] [REDACTED] reported this to the librarian, Kathy Haugen.
6. Craig Phillips, Security Supervisor, monitored the school district computer in Scott Caldwell's classroom. He noted the pattern of accessing pornographic sites continued.
7. On August 8, 2000, Scott Caldwell entered into a Settlement Agreement and Release with the Northshore School District. He resigned effective June 30, 2000.
8. Good moral character and personal fitness is a continuing requirement to maintain a Washington education certificate.

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Scott M. Caldwell and over the subject matter of this action.
- SCOTT M. CALDWELL
AGREED ORDER OF SUSPENSION -2-

2. OSPI has shown by clear and convincing evidence that the Washington education certificate, No. 331300D, of Scott M. Caldwell, should be suspended as provided for in WAC 180-86-070.

3. Scott M. Caldwell has violated WAC 180-87, WAC 180-86-013, WAC 180 86-014.

ORDER

THEREFORE, it is hereby ordered and agreed that the Washington education certificate, No. 331300D, of Scott M. Caldwell, be suspended for a minimum of 12 months from the date of entry of this Order.

Reinstatement will require submission of a new application, provided by OPP and having Scott M. Caldwell's fingerprints be checked by both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP).

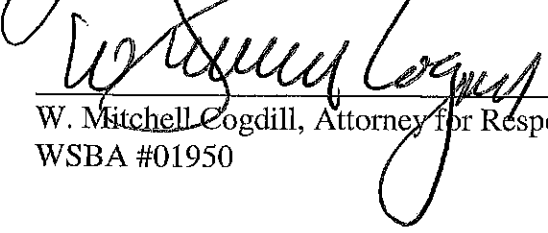
DATED This 16th day of May, 2002.

DR. TERRY BERGESON
Superintendent of Public Instruction
State of Washington

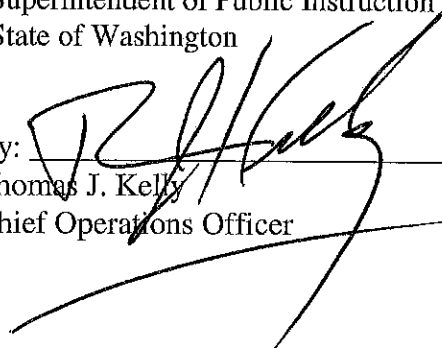
Stipulated to and approved
For entry:



Scott M. Caldwell, Respondent



W. Mitchell Cogdill, Attorney for Respondent
WSBA #01950

By: 

Thomas J. Kelly
Chief Operations Officer