



SUPERINTENDENT OF PUBLIC INSTRUCTION

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

I, Mary M. Gies, certify that on 9-6-01, 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

TIMOTHY J. HILSEN
Certificate No. 287011A

OPP No. D99-05-043

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 Timothy J. Hilsen, that the Washington education certificate, No.287011A, of Timothy J. Hilsen, shall be suspended, based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. Timothy J. Hilsen was issued an Initial Teacher Washington education certificate, No. 287011A, on September 21, 1988, and a renewal on March 11, 1999. That certificate currently remains valid.
2. On February 25, 1999, when Timothy J. Hilsen submitted an application for renewal of his Washington Education certificate, he answered "no" to questions

TIMOTHY J. HILSEN
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one through five of the Criminal History Section of the Character and Fitness Supplement, a part of the application process.

Timothy J. Hilsen signed the application/affidavit certifying under the penalty of perjury under the laws of the state of Washington that the foregoing and all information in the application was true and correct and dated the same, February 25, 1999.

3. On March 25, 1999, the Office of Professional Practices, within OSPI, received information from the Federal Bureau of Investigation (FBI) concerning the criminal history record of Timothy J. Hilsen. According to the FBI report, Timothy J. Hilsen has been arrested for the following:
 - A. March 31, 1991; San Bernardino, CA. Charge 1-Burglary No/Degree
 - B. March 4, 1994; San Bernardino, CA.
 - Charge 1 – Commercial Burglary
 - Charge 2 – Petty Theft
 - Charge 3 – FTA Misdemeanor
 - Charge 4 – Petty Theft
 - Charge 5 – Petty Theft/Retail
 - C. April 26, 1994: San Bernardino, CA. Charge 1 – Obtaining money by false statement on loan application.
 - D. November 15, 1995; San Bernardino, CA. Charge 1- Petty Theft
4. On May 5, 1999, the Office of Professional Practices (OPP) initiated an investigation 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 Timothy J. Hilsen.

5. On August 25, 1999, OPP received copies of court documents from the Superior and Municipal courts of California, County of San Bernardino. The copies document the following criminal history of Timothy J. Hilsen.
 - A. On April 8, 1991, Timothy J. Hilsen entered a guilty plea to shoplifting, Case No. M0193964. The violation date was March 30, 1991. He violated probation for non-payment of fine, and then was jailed in lieu of a fine.
 - B. On March 8, 1994, Timothy J. Hilsen entered a guilty plea to misdemeanor grand theft, Case No. M0265256. The violation date was March 4, 1994.
 - C. On April 28, 1994, Timothy J. Hilsen plea-bargained Nolo Contendere to making a false financial statement, Case No. M0269440, The violation date was August 21, 1993.
 - D. On November 17, 1995, Timothy J. Hilsen entered a guilty plea to theft, Case No. M0315947. The violation date was November 15, 1995.
 - E. On March 4, 1997, a Bench Warrant was issued for Timothy J. Hilsen for violating terms of probation, Case No. MSB 63589. The bench warrant was finally paid on May 3, 2001

6. On July 9, 1999, Timothy J. Hilsen faxed to OPP a letter explaining his arrest record. His account is as follows:
 - A. Regarding the March 31, 1991, arrest, Timothy J. Hilsen stated:

I headed to an Albertson's store. I needed everything! ... As I was finishing near the front of the store by the bakery and electric doors I realized I had left an envelope with \$1,850 on the front seat of my car. I pushed the cart thru the doors to get a better look at my car. I left the cart by the door and headed toward my car when an employee told me to stop. I tried to explain my money was in the car when another employee also came to help. I was escorted inside to wait for a policeman.

Timothy J. Hilsen said he entered a no contest plea to misdemeanor petty theft and was fined.

B. Regarding the March 4, 1994, arrest, Timothy J. Hilsen stated:

In March of this year a friend of Tammy's told me he had several computers that were from Wal-Mart and I could make \$1000 if I just took the computers back to Wal-Mart. Wal-Mart does have a liberal return policy no receipt (sic) required; they would just need to send you the money if you didn't (sic) have the receipt (sic). After standing in the return line for a while I panicked realizing how stupid this was. I left the store and was arrested.

Timothy J. Hilsen was found guilty of petty theft and placed on one-year probation.

C. Regarding the April 26, 1994, arrest, Timothy J. Hilsen stated:

When I quit my job I went to my credit union to get a signature loan to get by until I began to work again. I was granted a loan (\$2500) and was still a member of the credit union, I thought. ..., After the Wal-Mart arrest I wanted to clear all my ghosts out of closets and start fresh. I went into my credit union and they were very angry that I had not contacted them for months, rightly so. They called a detective who couldn't believe they wanted to charge me with "obtaining money under false pretenses". I failed to tell them I had quit my job (even though they never asked and I was still a member of the credit union.)

Timothy J. Hilsen was charged with making a false statement on a financial application for failing to disclose he had resigned from his job. He was found guilty and placed on two years probation.

D. Regarding the December 15, 1994, arrest, Timothy J. Hilsen stated:

There was a pawnshop in town that gave \$5 for V.C.R. tapes. Tammy put 8 tapes in a bag at a Pay-Less store and I took the fall for it, even though it may have been the best thing for Aubrey and I if she would have been arrested. I did 6 months of weekend community service.

7. Timothy J. Hilsen also stated in his letter the reasons why he answered "no" to the criminal history questions. He said:

- A. I had recently passed, for the second time, a background check to work as a parole officer for J.R.A. (State Parole).
- B. The local school district (#81) in the application I filled out for them described the different offenses to disclose, assault, drug charges, armed robbery etc... My crimes were not listed so I felt these were the crimes the F.B.I. checks would show. All these were felony charges mine were misdemeanors (sic).

- C. I sought the advice of council. I apparently got bad advise from a law student friend and a member of local law enforcement.
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 Timothy J. Hilsen and over the subject matter of this action.
2. OSPI has shown by clear and convincing evidence that the Washington education certificate, No. 287011A, of Timothy J. Hilsen, should be suspended as provided for in WAC 180-86-070.
3. Timothy J. Hilsen has violated WAC 180-86-013 and WAC 180-87-050.

ORDER

THEREFORE, it is hereby ordered and agreed that the Washington education certificate, No. 287011A, of Timothy J. Hilsen, be suspended for a minimum of twenty-four (24) months.

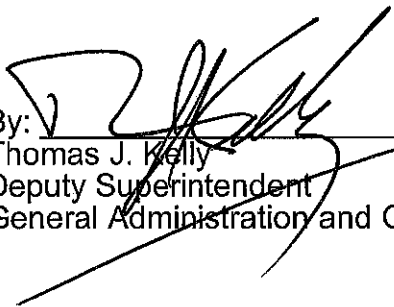
Twenty (20) months shall be credited to the twenty-four (24) month suspension. The ending date of this suspension shall be December 31, 2001.

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

DATED This 24th day of October, 2001.

DR. TERRY BERGESON
Superintendent of Public Instruction
State of Washington

Stipulated to and approved
For entry; notice of presentation
waived:

By: 
Thomas J. Kelly
Deputy Superintendent
General Administration and Operations


Timothy J. Hilsen, Respondent