

IN THE MATTER OF THE EDUCATION)
CERTIFICATE OF)
)
Brett Summers)
Certificate No. 342983D)
_____)

OPP No. D02-01-011
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 Brett Summers, that the Washington education certificate, No342983D, of Brett Summers, shall be suspended, based on the Findings of Fact and Conclusions of Law set forth below:

FINDING OF FACTS

1. Brett Summers was issued a Washington Education Certificate, No. 342983D, on January 31, 1996. That certificate currently remains valid.
2. Brett Summers was employed by the Colville School District.
3. On January 14, 2002, the Office of Professional Practices, within OSPI, received a complaint letter from the Superintendent of the Colville School District alleging a violation of

the Code of Professional Conduct, Washington Administrative Code (WAC) 180-87, by Brett Summers.

5. Brett Summers failed to properly supervise students in his classroom in December, 2001.
6. Brett Summers resigned from the Colville School District effective January 31, 2002.
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 Brett Summers and over the subject matter of this action.
2. OSPI has shown by clear and convincing evidence that Washington education certificate, No. 342983D, of Brett Summers, should be suspended as provided for in WAC 180-86-070.
3. Brett Summers has violated WAC 180-87-060(1)

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ORDER

THEREFORE, it is hereby ordered and agreed that the Washington education certificate, No. 342983D, of Brett Summers, be suspended for twelve (12) months, from May 1, 2003 until April 30, 2004. Mr. Summers education certificate shall be reinstated after the suspension provided Mr. Summers satisfies the conditions set forth in Paragraphs 1, 2 and 3 below.

(1) Mr. Summers shall complete a psychological evaluation by a mutually agreed upon licensed and board certified psychologist/psychiatrist(evaluator). The sole question before the evaluator shall be whether or not Mr. Summers presents a danger to the educational welfare or personal safety of students, teachers or other colleagues within the educational setting. If after the evaluation of Mr. Summers, the evaluator determines that Mr. Summers does not present a danger to the educational welfare or personal safety of students, teachers or other colleagues within the educational setting, then Mr. Summers will be deemed to have satisfied the evaluation requirement set forth herein.

(2) Mr. Summers shall sign a release to permit OPP to review the results of the evaluation and talk to the evaluator, provided no documents or records incident to the evaluation will be released to OPP. However, the evaluator shall provide a summary of the evaluation process for retention in OPP files along with his/her conclusions regarding whether or not Mr. Summers presents a danger to the educational welfare or personal safety of students, teachers or other colleagues within the educational setting

(3) Mr. Summers will submit fingerprints for an FBI and WSP criminal records check.

DATED This 21 day of AUGUST, 2003.

DR. TERRY BERGESON
Superintendent of Public Instruction
State of Washington

Stipulated to and approved
For entry:

Brett Summers
Brett Summers, Respondent

Douglas Wartelle
Douglas Wartelle, Attorney for Respondent
WSBA #25267

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

Anne O. Shaw
Anne O. Shaw
Assistant Attorney General
WSBA # 12489