



SUPERINTENDENT OF PUBLIC INSTRUCTION

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

I, Janette Edlund, certify that on April 21, 2000 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)
APPLICATION OF)
)
)
FLAVIAN POINT)
DOB: [REDACTED] /1971)
_____)

OPP No. A99-06-0452

DENIAL ORDER
FOR CERTIFICATION

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 deny the education application of FLAVIAN POINT based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. On May 7, 1999, Flavian S. Point applied for a Washington education certificate, through Washington State University.

2. During the application process, Flavian Point disclosed that he had been arrested in December 1995 for hit and run of an unattended vehicle. At the same time, he was charged with Driving w/o Valid Operator License. He pled guilty to both charges in February 1996.

3. As a part of the judgment/sentencing, Flavian Point was fined \$600, 90 days in jail w/90 days suspended, probation for one year, and \$300 probation fees.

4. On November 15, 1996, a bench warrant was issued for Flavian Point due to probation violation and failure to make restitution payment(s).

5. Final payment was received and the case closed on February 25, 1997.

6. Flavian Point's driving abstract, dated November 23, 1999, indicated his Washington Driving License was still suspended and that he had several driving infractions in addition to the December 1995 charges: 5/96 no valid license; 2/97 no proof of insurance, and 6/98 driving while license suspended.

7. On January 12, 2000, Flavian Point entered into an agreement with the Office of Professional Practices, Office of Superintendent of Public Instruction. The agreement stated that Flavian Point would pay \$100 per

month to the appropriate authority to reinstate his Washington driver's license. The letter further indicated that he would provide OPP proof of payment each month, towards this obligation. If Flavian Point failed to make payment, he understood that his application for a Washington education certificate would be denied.

8. On March 15, 2000, Flavian Point called OPP to report that he was arrested for Driving Under Influence on March 12, 2000. He reported that he also failed to report for court on March 13, 2000, as noted on the citation.

9. Flavian Point also confirmed he had not been in compliance with the OPP agreement, in that he had not been making payments toward reinstating his license.

10. Good moral character & personal fitness is a requirement to attain a Washington education certificate.

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Flavian Point and over the subject matter of this action.

2. Flavian Point has failed to provide clear and convincing evidence of good moral character or personal fitness to receive a Washington education certificate, Washington Administrative Code (WAC) 180-86-170.

3. Flavian Point has violated WAC 180-86-013 and RCW 28A.410.090

ORDER

THEREFORE, it is hereby ordered that the application for certification of Flavian Point is denied.

This order may be appealed within thirty (30) calendar days from the date of receipt, pursuant to Chapter 180-86 WAC, copy enclosed.

DATED this 20th day of April, 2000.

DR. TERRY BERGESON
Superintendent of Public Instruction
State of Washington

By: Michael L. Bigelow
Michael L. Bigelow
Assistant Superintendent
Budget and School Business Services