



SUPERINTENDENT OF PUBLIC INSTRUCTION

Randy I. Dorn Old Capitol Building · PO BOX 47200 · Olympia, WA 98504-7200 · http://www.k12.wa.us

IN THE MATTER OF THE EDUCATION)
CERTIFICATE OF)
Shannon Devlin)
Certificate No. 322727R)

OPP No. D10-12-068
FINAL ORDER
OF SUSPENSION

COMES NOW Gene Sharratt, Review Officer of the Office of Superintendent of Public Instruction (OSPI), 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 suspend the Washington Education Certificate, No. 322727R, of Shannon Devlin, based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. Shannon Devlin was issued a Washington Education Certificate, No. 322727R, on July 9, 1993. That certificate currently remains valid.
2. Shannon Devlin was employed by the Federal Way Public Schools.

I, Stella Lugalia certify that on 5/14/2013, 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

3. On December 6, 2010, the Office of Professional Practices, within OSPI, received a complaint letter from the superintendent of the Federal Way Public Schools alleging a lack of good moral character or personal fitness, or a violation of the Code of Professional Conduct, Washington Administrative Code (WAC) 181-87, by Shannon Devlin.

4. During the 2008-2009 school year, Shannon Devlin developed an inappropriate relationship with J.J., an 11th grade male student. This relationship included, but was not limited to: preparing meal/s for J.J. at her house; having J.J. at her house to eat meal/s; suspecting J.J. was using illegal controlled substances but failing to report her suspicions to school counselors; discussing her personal addiction issues with J.J.; and providing transportation for J.J. in her personal vehicle.

5. On December 1, 2009, all Federal Way Public Schools staff members received a district-issued letter/memo regarding appropriate and inappropriate interactions with students by staff. This letter/memo, in part, restated Federal Way Public Schools policy #5021 – Unprofessional Conduct.

6. During the 2009-2010 school year, Shannon Devlin continued the relationship with J.J. The interactions during the 2009-2010 school year included, but are not limited to: having J.J. at her residence; having J.J. perform work around her house; suspecting J.J. was using illegal controlled substances but failing to report her suspicions to school counselors; discussions with J.J. about his personal dating life; discussing her personal life, such as dating issues; and providing transportation for J.J. in her personal vehicle.

7. In the spring months of 2010, J.J. attended a debate tournament in California. During the tournament, J.J. suffered, what is described as, an anxiety attack. Shannon Devlin learned of this and became unreasonably worried and distraught over J.J.'s condition.

8. In April and May of 2010, Shannon Devlin sent e-mails to J.J.'s teachers at Federal Way High School detailing why he was absent from school and when he would have future absences from school.

9. In late May of 2010, J.J. left Federal Way High School for out-of-state employment.

10. After the 2009-2010 school year graduation, Shannon Devlin allowed J.B., a recently graduated male student, to reside with her.

11. In or about September 2010, J.J. returned from his out-of-state job and moved in with Shannon Devlin. At or around this time frame, J.B. left Shannon Devlin's residence.

12. In September or October of 2010, J.J. disclosed to a friend, G.G., a 2010 Federal Way Public Schools graduate, that he was in a sexual relationship with Shannon Devlin.

13. On October 19, 2010, Shannon Devlin was placed on administrative leave. Rick Kaiser, attorney, was retained to investigate allegations of an inappropriate relationship between Shannon Devlin and J.J.

14. During Mr. Kaiser's investigation, Shannon Devlin participated in an interview with Mr. Kaiser. Mr. Kaiser submitted a report to the Federal Way Public Schools of his investigation.

15. On November 29, 2010, Shannon Devlin signed a Settlement Agreement with the Federal Way Public Schools and resigned her employment.

16. Shannon Devlin was given an opportunity to respond to the allegations of misconduct as per RCW 28A.410.090. Shannon Devlin, through her attorney, declined to participate in an interview.

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

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Shannon Devlin and over the subject matter of this action.
2. OSPI has shown by clear and convincing evidence that the Washington Education Certificate No. 322727R, of Shannon Devlin, should be suspended for unprofessional conduct and/or lack of good moral character or personal fitness. RCW 28A.410.090, WAC 181-86-070, WAC 181-87-060; WAC 181-86-013; WAC 181-86-014.

ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate, No. 322727R, of Shannon Devlin be suspended for twenty-four (24) months.

REINSTATEMENT will require: (1) successful completion of a psychological evaluation which validates Shannon Devlin's ability to have unsupervised access to students in a school environment, by an evaluator mutually agreed upon by the Office of Professional Practices and Shannon Devlin; (2) that Shannon Devlin provide written consent for OPP to release documents to the provider for purposes of completing the evaluation; (3) that Shannon Devlin follows and completes any and all treatment recommended in the evaluation; (4) that Shannon Devlin will provide OPP with evidence of her successful completion of or continued compliance in her treatment program and; (5) if requested, Shannon Devlin will sign consent forms authorizing OPP to have access to all records pertaining to her treatment and to discuss any and all treatment undertaken with the providers administering treatment. The cost of conformance to all reinstatement requirements will be the responsibility of Shannon Devlin.

AND Reinstatement shall (also) require: (1) submission of a new application, including Character and Fitness Supplement, provided by OPP and having Shannon Devlin's fingerprints be checked by both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP); and (2) that if Shannon Devlin's education certificate expires during the period of suspension, Shannon Devlin will show that she meets all academic requirements for renewal/reinstatement of the education certificate. Reinstatement shall also be contingent upon Shannon Devlin's fingerprint background check returning with no criminal convictions that are listed in WAC 181-86-013, RCW 28A.410.090, and any other felony convictions.

This 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 Resource Services, Old Capitol Building, P.O. Box 47200, Olympia, WA 98504-7200.

DATED this 14th day of May 2013.

RANDY DORN
Superintendent of Public Instruction
State of Washington


DR. GENE SHARRATT
Review Officer