



# 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	)	
APPLICATION OF	)	OPP No. A10-09-330
	)	
Denise Gray	)	DENIAL ORDER
Date of Birth: 07/12/1961	)	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 Denise Gray based on the Findings of Fact and Conclusions of Law set forth below:

### FINDINGS OF FACT

1. On August 13, 2010, Denise Gray applied for a Washington educational certificate.
2. From August 13, 2008 to October 20, 2010, Denise Gray was licensed as a speech language pathologist by the Oregon Board of Examiners for Speech-Language Pathology and Audiology (BSPA).
3. From August 25, 2008 until June 11, 2009, Denise Gray was employed by the Southern Oregon Education Service District (SOESD) as a district speech-language pathologist.



4. During employment as a speech language pathologist with the SOESD. Denise Gray failed to follow recognized procedures for student individualized education plan (IEP) evaluation, implementation, and procedures.

5. On April 7, 2010, while employed at the Highland House Nursing and Rehab Center as a speech language pathologist, Denise Gray failed to provide all services competently in the treatment of her assigned patients with dysphagia.

6. On April 16, 2010, a dysphagic patient of Denise Gray's was hospitalized due to Denise Gray feeding the patient in a reclined position while the level of alertness was insufficient for oral intake. After the patient was discharged from the hospital to Highland House, Denise Gray continued to feed the patient in a reclined position despite discharge instructions.

7. In April of 2010, Denise Gray failed to follow clinical record keeping procedures for her patients as required by the Highland House Nursing and Rehab Center and failed to report consistent objective data regarding a patient which resulted in endangerment of the patient's health and well-being.

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8. On July 2, 2010, the Oregon (BSPA) found that Denise Gray's ability to continue practicing as a Speech Language Pathologist in an environment where she is treating elderly dysphagia patients is a serious danger to the public health and safety. The Oregon BSPA issued Denise Gray an Order of Emergency Suspension and Notice of Opportunity for Hearing.

9. On July 8, 2010, Denise Gray requested a hearing with the Oregon BSPA regarding her Order of Emergency Suspension.

10. On July 14, 2010, Denise Gray requested additional information from the Oregon BSPA and on July 29, 2010, Denise Gray contacted the Oregon BSPA and withdrew her hearing request.

11. On the Character and Fitness Supplement, a part of the application process, Denise Gray answered 'yes' to questions 3, 8 and 9, Section II, Professional Fitness, regarding having been the subject of a certificate or licensing investigation or inquiry by a certification of licensing agency for allegations of misconduct; having been dismissed, discharged or fired from a employment position involving children or dependant adults; and resigning or otherwise leaving employment while allegations of misconduct were pending.

12. On the Character and Fitness Supplement, Denise Gray falsely answered 'no' to question 4, section II, Professional Fitness, regarding having adverse action taken on any certificate or license.

13. As part of the Character and Fitness Supplement, Denise Gray provided a written explanation stating her supervisor inquired about a treatment procedure and the board initiated an investigation. Denise Gray falsely indicated the investigation is pending and no action has been taken against her license while working with children.

14. On September 9, 2010, the Oregon BSPA issued Denise Gray a Notice of Proposed License Revocation and Notice of Hearing Rights; Agency Case No. 2010-02 and 2010-38.

15. On October 20, 2010, the Oregon BSPA issued a Final Order by Default revoking Denise Gray's Speech-Language Pathology and Audiology license for failing to perform essential job functions as a school based speech-language pathologist, failing to comply with local district and Education Service District rules and policies during her employment with SOESD, failing to maintain complete documentation of the clinical service she provided to students and patients, and providing dysphagia services without the appropriate training, experience and competence; Agency Case No. 2010-02 and 2010-38

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

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CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Denise Gray and over the subject matter of this action.
  
2. Denise Gray has failed to provide clear and convincing evidence of good moral character or personal fitness, per Washington Administrative Code (WAC) 181-86-013, to receive a Washington education certificate, WAC 181-86-170.

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ORDER

THEREFORE, it is hereby ordered that the application for certification of Denise Gray is denied.

This order may be appealed within thirty (30) calendar days from the date of receipt, pursuant to Chapter 181-86 WAC, copy enclosed.

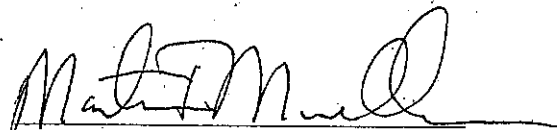
This order will become final thirty days after it is received, unless it is appealed within the thirty day period.

Appeals should be addressed to:

Superintendent of Public Instruction  
Office of Professional Practices  
PO Box 47200  
Olympia, WA 98504

DATED this 14<sup>th</sup> day of December, 2010.

RANDY I. DORN  
Superintendent of Public Instruction  
State of Washington



Martin T. Mueller  
Assistant Superintendent  
Student Support