



SUPERINTENDENT OF PUBLIC INSTRUCTION

Chris Reykdal Old Capitol Building · PO BOX 47200 · Olympia, WA 98504-7200 · <http://www.k12.wa.us>

IN THE MATTER OF THE EDUCATION)
CERTIFICATE OF)

OPP No. D19-12-095

SHELLEY QUIGLEY)
Certificate No. 385757J)

AGREED ORDER
OF SUSPENSION

After receiving and investigating a complaint from Wahkiakum School District (School District) regarding the above referenced educator, and based upon the facts available as of the date of this Agreed Order, the Superintendent of Public Instruction, through his undersigned designee, does hereby stipulate, by and between, the Office of Superintendent of Public Instruction, the Office of Professional Practices, and SHELLEY QUIGLEY (Educator) that the Educator engaged in acts of unprofessional conduct to include WAC 181-87-055 and that the Educator's Washington Education Certificate No. 385757J shall be SUSPENDED for not less than THREE (3) of months with conditions enumerated below, based on the following Findings of Fact and Conclusions of Law:

1. FINDINGS OF FACT

1. On March 26, 2001, the Educator was issued Washington Education Certificate No. 385757J. The Educator's certificate will expire June 30, 2021. The Educator also has a Substitute Teaching Certificate issued March 25, 2020. The Substitute Teaching Certificate does not have a listed expiration date.

2. During the 2019-2020 year, the Educator was employed by the School District at Julius A. Wendt Elementary School as a Fourth/Fifth Grade Teacher.

3. On December 16, 2019, the Office of Professional Practices (OPP) within the Office of Superintendent of Public Instruction (OSPI) received a complaint from Brent Freeman, Superintendent of the School District, alleging the Educator committed unprofessional conduct pursuant to WAC 181-87 by reporting to work intoxicated and possessing alcohol on school premises.

4. On May 6, 2019, the Educator arrived to work under the influence of alcohol, possessed alcohol on school premises, and consumed alcohol on school premises.

5. On May 6, 2019, the Educator was placed on Administrative Leave with pay.

6. On May 13, 2019, the Educator received a Written Reprimand. The Written Reprimand required the Educator provide the School District with confirmation of upcoming counseling appointments and a clinician's signature to confirm her attendance at the appointments. The Educator was also required to schedule a drug and alcohol assessment prior to returning to work.

7. On June 5, 2019, the Educator completed an alcohol/substance abuse evaluation. The evaluator concluded the Educator did not have an alcohol disorder. Later, the Educator told the Superintendent that she was in denial at the time of this assessment and was not as forthcoming with all the facts that would have been necessary for the screener to accurately assess her alcohol use.

8. On December 10, 2019, Principal Nikki Reese received reports from staff members that something was "very wrong" with the Educator.

- Principal Reese observed the Educator having slow mannerisms/body language and eyes only partially open.
- A tumbler containing alcohol was found in the Educator's classroom.

9. On January 3, 2020, the Educator submitted her resignation to the School District.

10. On January 22, 2020, the School District School Board accepted the Educator's resignation.

11. On June 16, 2020, the Educator participated in a recorded interview with OPP.

II. CONCLUSIONS OF LAW

1. Chapter 28A.410 RCW gives the Professional Educator Standards Board the authority to develop regulations determining eligibility for and certification of personnel employed in the common schools of the state of Washington. OSPI acts as the administrator of those statutes and regulations and has the authority to issue, reprimand, suspend, and revoke education certificates. RCW 28A.410.010; RCW 28A.410.090. Chapters 181-86 and 181-87 of the Washington Administrative Code (WAC) further implement OSPI's authority.

2. OSPI has jurisdiction over the Educator and the subject matter of this action.

3. The Educator committed acts of unprofessional conduct pursuant to WAC 181-87-055.

4. There is clear and convincing evidence the Educator committed acts of unprofessional conduct pursuant to WAC 181-86-170.

5. Pursuant to WAC 181-86-080, eleven factors, at a minimum, are to be considered to determine the appropriate level and range of educator discipline:

- (1) The seriousness of the act(s) and the actual or potential harm to persons or property;
- (2) The person's criminal history including the seriousness and amount of activity;
- (3) The age and maturity level of participant(s) at the time of the activity;
- (4) The proximity or remoteness of time in which the acts occurred;
- (5) Any activity that demonstrates a disregard for health, safety or welfare;
- (6) Any activity that demonstrates a behavioral problem;
- (7) Any activity that demonstrates a lack of fitness;
- (8) Any information submitted regarding discipline imposed by any governmental or private entity as a result of acts or omissions;
- (9) Any information submitted that demonstrates aggravating or mitigating circumstances;
- (10) Any information submitted to support character and fitness; and
- (11) Any other relevant information submitted.

6. Based on the foregoing facts and considering them in light of the eleven factors enumerated in WAC 181-86-080, and in light of WAC 181-86-070, and WAC 181-87-055, the Educator's education certificate should be suspended for unprofessional conduct and/or a behavioral problem which endangers the educational welfare or personal safety of students, teachers, or other colleagues within the educational setting.

III. ORDER

THEREFORE, it is hereby ordered and agreed that the Washington Education Certificate, No. 385757J of SHELLEY QUIGLEY is **SUSPENDED**. The Educator may not request reinstatement of her certificate for at least THREE (3) MONTHS from the effective date of this ORDER.

REINSTATEMENT of the Educator's education certificate shall require:

- (1) The Educator must successfully complete a SUBSTANCE ABUSE EVALUATION by a licensed substance abuse evaluator/treatment provider preapproved by OSPI;
- (2) The Educator shall provide written consent for OPP to release documents to the provider for purposes of completing the evaluation;
- (3) The Educator shall sign a consent form allowing the examining substance abuse evaluator/treatment provider to provide OPP a summary of the Educator's treatment recommendations, if any, and the results of her evaluation;

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- (4) The Educator, if treatment is recommended as a result of the evaluation, shall complete any and all recommended treatment and provide evidence of successful completion or, if continuing treatment is recommended, provide proof of continued compliance in the program to OPP;
- (5) The Educator must submit a new application, including Character and Fitness Supplement, provided by OPP;
- (6) The Educator must complete a fingerprint-based criminal background check through both the Federal Bureau of Investigation and the Washington State Patrol;
- (7) The Educator's fingerprint background check must return with no criminal convictions, occurring after the date of issuance of a Final Order of Suspension, that are listed in WAC 181-86-013, RCW 28A.410.090, or any felony convictions; AND
- (8) The Educator shall assume all costs of complying with the requirements of this Order.

WAIVER OF RIGHT TO APPEAL

The Educator is aware that RCW 28A.410.090(3) and WAC 181-86-140 afford them the right to appeal a discipline order issued by OSPI. Acknowledging this, the Educator knowingly and voluntarily waives his/her right to appeal by entering into this Agreed Order of Suspension.

DATED this 21st day of September, 2020.

CHRIS REYKDAL
Superintendent of Public Instruction
State of Washington

Signed: Dierk Meierbachtol
Chief Legal Officer

Stipulated to and approved
For entry:

Signed: Shelley Quigley, Respondent