



SUPERINTENDENT OF PUBLIC INSTRUCTION

DR. TERRY BERGESON

OLD CAPITOL BUILDING • PO BOX 47200 • OLYMPIA WA 98504-7200

IN THE MATTER OF THE EDUCATION) OPP No. D96-06-101
CERTIFICATE OF)
) AGREED ORDER OF
ROBERT D. SHAW) SUSPENSION
Certificate No. 271799R)
)

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 suspend the Washington education certificate, No. 271799R, of Robert D. Shaw, for a minimum of twenty-four (24) months, based on the Findings of Fact and Conclusions of Law set forth below:

Findings of Fact

1. Robert D. Shaw was issued Washington Education Certificate, No. 271799R, on March 21, 1986. Robert D. Shaw currently holds a valid Continuing Teacher Certificate.
2. Robert D. Shaw was employed as a teacher by the Ellensburg School District during the 1995/96 school year.
3. On or about June 10, 1996, the Office of the Superintendent of Public Instruction received a letter from the Superintendent of the Ellensburg School District alleging an act of unprofessional conduct, by Robert D. Shaw.
4. On or about June 4, 1996, the Superintendent of the Ellensburg School District issued a Notice of Probable Cause to terminate the employment of Robert D. Shaw citing unprofessional and/or inappropriate physical contact with a student.

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5. On or about February 20, 1997, Robert D. Shaw entered into a settlement agreement with the Ellensburg School District. Robert D. Shaw dismissed his termination appeal and resigned from the Ellensburg School District in exchange for a monetary settlement.

6. Robert D. Shaw admits and acknowledges that on at least one occasion he engaged in inappropriate conversation and physical contact with a female student outside the boundaries of a normal student/teacher relationship. Robert D. Shaw admits and acknowledges that his conduct was inappropriate and unprofessional.

7. Good moral character and personal fitness is a continuing requirement to maintain a Washington education certificate.

Conclusions of Law

1. The Office of the Superintendent of Public Instruction (OSPI) has jurisdiction over Robert D. Shaw and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence that Washington education certificate, No. 271799R, of Robert D. Shaw, should be suspended as provided for in WAC 180-86-070.

3. Robert D. Shaw has violated Washington Administrative Code (WAC) 180-86, and WAC 180-87.

ORDER

THEREFORE, it is hereby ordered and agreed that the Washington education certificate, No. 271799R, of Robert D. Shaw be suspended for twenty-four (24) months. The effective date of this Order shall be May 26, 2001.

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Reinstatement shall require: 1) submission of a new application, provided by the Office of Professional Practices and used only by the Office of Professional Practices; 2) an evaluation by a clinical psychologist to determine that Robert D. Shaw understands the boundaries of a student/teacher relationship and is not a threat or danger to students; 3) Robert D. Shaw submit his fingerprints to be checked by both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP).

DATED this 20th day of July 2001.

Dr. Terry Bergeson
Superintendent of Public Instruction
State of Washington

By: Terry Bergeson
Thomas J. Kelly
Deputy Superintendent
General Administration & Operations

Stipulated to and approved
For entry; notice of presentation
Waived:

Robert D. Shaw
Robert D. Shaw, Respondent

Kevan T. Montoya
Kevan T. Montoya, Attorney for Respondent

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