



SUPERINTENDENT OF PUBLIC INSTRUCTION

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

I, MAE, certify that on OCTOBER 20, 2000, I mailed 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)
CERTIFICATE OF)

OPP No. D95-04-047

DONALD R. ANDREWS)
Certificate No. 268650R)

FINAL ORDER)
OF PERMANENT)
REVOCATION)

Thirty calendar days have transpired since the mailing to Mr. Donald R. Andrews c/o Mark Robert Vovos of a Proposed Order of Permanent Revocation. Donald R. Andrews's failure to make a timely appeal of such order authorizes this agency to issue a Final Order of Permanent Revocation based on the Findings of Fact and Conclusions of Law set forth in the Proposed Order of Permanent Revocation. The following is hereby entered:

FINDINGS OF FACT

1. Donald R. Andrews currently holds a Continuing Elementary and Secondary Teacher Certificate, issued on July 16, 1986, which is currently valid. Mr. Andrews was also issued an Initial Secondary Teacher Certificate on July 1, 1985 and a Continuing Administrator Certificate on February 1, 1990. Both of these certificates are expired.

2. You were employed as the principal of St. Patrick Catholic School, Catholic Diocese of Spokane, Spokane, Washington during the 1994-95 school year.

3. In March, 1995, a thirteen-year-old male student alleged that while spending the night at your home in Spokane, Washington, you placed your hand inside his pants and underpants and rubbed his penis with your hand causing his penis to become erect. The male child was in the room alone with you at the time.

4. On March 3, 1997, you were charged in Amended Information No. 95-1-00673-7, filed in Spokane County Superior Court, with the felony crime of Third Degree Assault, a violation of RCW 9A.360.31 (1) (d) – F (#05426). The information charges that you, on or about February 19, 1995, did, with criminal negligence, cause bodily harm to the thirteen-year-old male student by means of a weapon or other instrument or thing likely to produce bodily harm.

5. On March 3, 1997, you were found guilty by pleas to the felony crime of Third Degree Assault, a violation of RCW 9A.36.031 (1) (d) – F (#05426). You signed a Statement of Defendant on Plea of Guilty to a Felony, No. 95-1-00673-7, in Spokane County Superior Court, Spokane, Washington. You admitted acting in a criminally negligent way and that you caused harm to the thirteen-year-old male student.

6. On April 14, 1997, based on your guilty plea to the felony crime of Third Degree Assault, a violation of RCW 9A.36.031 (1) (d) – F (#05426), you were sentenced in Spokane County Superior Court, Spokane, Washington. You were fined five thousand two hundred ten dollars (\$5,210.00), sentenced to ninety (90) days incarceration on work release, ordered not to have contact with the thirteen-year-old male student for a period of five years, and placed on twenty four (24) months community supervision. You have been ordered not to spend the night where minors are located, not to hold any position with authority over minors, to have no contact with minors unless in the company of a chaperone aware of your offensive behavior and approved by your Community Corrections Officer. You also have been ordered not to frequent areas where children congregate, and to submit to polygraph examinations at the discretion of your Community Corrections Officer to monitor compliance with these conditions. You have been ordered to participate in counseling and make reasonable progress with a therapist approved by your Community Corrections Officer. Your counselor is to address your offensive behaviors.

CONCLUSIONS OF LAW

1. You violated the Revised Code of Washington (RCW). You were found guilty by plea to the felony crime of Third Degree Assault, a violation of RCW 9A.36.0341 (1) (d) – F (#05426). You have been ordered by Spokane County Superior Court Judge Michael Donohue not to hold any position with authority over children and not to frequent areas where children congregate.

2. You have violated WAC section 180-869-013 (2) by your conviction of a crime which materially and substantially impairs your worthiness and ability to serve as a professional within the public and private schools of this state.

Based on the above Finding(s) of Fact, the Superintendent of Public Instruction has determined that Donald Richard Andrews lacks the good moral character and personal fitness required by WAC 180-86-014 to serve as a certificated employee in the schools of this state.

Due to the nature of your crime, the revocation of your certificate will be permanent, without option for reinstatement, as outlined in the Revised Code of Washington (RCW), section 28A.410.090(2) which states:

Any such certificate or permit authorized under this chapter or chapter 28A.405 RCW shall be revoked by the authority authorized to grant the certificate upon a guilty plea or the conviction of any felony crime involving the physical neglect of a child under chapter 9A.42 RCW ...

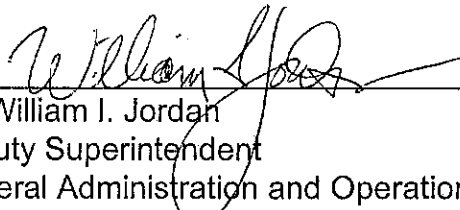
Mandatory permanent revocation upon a guilty plea or the conviction of felony crimes specified under this subsection shall apply to such convictions or guilty pleas which occur after July 23, 1989.

ORDER

THEREFORE, it is hereby ordered that the Washington education certificate, No. 268650R, of Donald R. Andrews be permanently revoked.

DATED This 20th day of October, 2000.

DR. TERRY BERGESON
Superintendent of Public Instruction
State of Washington

By: 

Dr. William I. Jordan
Deputy Superintendent
General Administration and Operations