



SUPERINTENDENT OF PUBLIC INSTRUCTION

DR. TERRY BERGESON 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. D05-08-091
Julie N. Daly)	
Certificate No. 364618R)	ORDER OF REVOCATION
_____)	

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 revoke the Washington Education Certificate, No. 364618R, of Julie N. Daly, based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. Julie N. Daly was issued a Washington Education Certificate, No. 364618R, on September 15, 1998. That certificate currently remains valid.
2. Julie N. Daly was employed by the Central Valley School District.
3. On August 4, 2005, the Office of Professional Practices, within OSPI, received a complaint letter alleging a lack of good moral character or personal fitness, or a violation of the Code of Professional Conduct, Washington Administrative Code (WAC) 180-87, by Julie N. Daly.

JULIE N. DALY
ORDER OF REVOCATION



4. On January 9, 2004, an Information was filed in Spokane County Superior Court charging Ms. Daly with Attempting to Obtain Controlled Substance by Forged Prescription, RCW 69.50.403(3), a class C felony; Cause Number 04-1-00064-6.
5. On February 18, 2004, Ms. Daly was placed on administrative leave by the Central Valley School District.
6. On May 4, 2004, Ms. Daly agreed to provide rehabilitation/treatment information to the Central Valley School District.
7. On June 2, 2004, a letter was sent to Ms. Daly by Jay Walter, Assistant Superintendent. The letter stated that Ms. Daly's administrative leave was converted to personal illness leave. The letter also states that no information regarding court or rehabilitation information has been received by Central Valley School District.
8. On July 28, 2004, Ms. Daly was sent a letter from Lise Louer, Assistant Superintendent, stating that Central Valley School District had not received any information regarding Ms. Daly's controlled substance rehabilitation/treatment.
9. On August 10, 2004, a meeting was held with Ms. Daly by Lise Louer. During the meeting, Ms. Daly reviewed the agreement reached on May 4, 2004.

10. On September 7, 2004, Ms. Daly signed a Statement of Defendant on Plea of Guilty, stating that she pled guilty to the felony crime of Attempting to Obtain Controlled Substance by Forged Prescription, RCW 69.50.403(3). Ms. Daly was sentenced to: \$1754.70 total court costs and fine; two (2) days incarceration; Community Supervision for twelve (12) months; and Chemical Dependency evaluation and recommended treatment.

11. On September 14, 2004, Lise Louer sent Ms. Daly a letter stating that she would remain on mandatory medical leave until the District received documentation of drug dependence/addiction evaluation and documentation from the evaluator that: either supported Ms. Daly's return to work; or identifies the projected time needed for in-patient treatment; declared in writing that she did not require either of the above-options and was fit for duty.

12. On September 17, 2004, Ms. Daly sent a letter to Ms. Louer stating that she agreed to participate in a drug dependence/addiction evaluation and to follow through with the evaluator's recommendations for treatment.

13. On October 15, 2004, a letter was sent to Ms. Daly by Ms. Louer stating that the District had not received a copy of an assessment and treatment plan from a substance abuse treatment provider.

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14. On October 20, 2004, a meeting was held with Ms. Daly by Ms. Louer. During the meeting, Ms. Daly said that she had started the substance abuse assessment process with ABSTEMIOUS. Ms. Daly signed an "Authorization to Release Health Care Information" for the Central Valley School District.

15. On October 29, 2004, Central Valley School District received a copy of a letter to Ms. Daly's Department of Corrections Community Custody Officer from Abstemious Outpatient Clinic. The letter stated that Ms. Daly had been diagnosed [REDACTED] and that a [REDACTED] Outpatient Program was recommended for treatment.

16. On November 12, 2004, Ms. Daly was sent a letter by Ms. Louer. The letter stated that Ms. Louer had been informed by ABSTEMIOUS that Ms. Daly had not followed up with treatment [REDACTED].

17. On November 23, 2004, Ms. Daly signed a Last Chance Agreement with the Central Valley School District.

18. Ms. Daly was returned to work as a school counselor at North Pines Middle School on November 29, 2004.

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19. On February 15, 2005, James Abitz, Treatment Director at ABSTEMIOUS, sent a letter to Ms. Louer stating that Ms. Daly had requested delaying her treatment start date until March 7, 2005. Ms. Daly sent Ms. Louer a letter on February 24, 2005, confirming her desire and request to delay entering treatment with Abstemious.

20. On March 28, 2005, Ms. Daly was taken to PAML/PACLAB by Dave Bouge, Bowdish Middle School Principal, for suspicion that she was under the influence of a controlled substance while at school. The test result was positive for the presence of hydrocodone, greater than 4000 ng/ml; although the specimen sample was out of temperature range.

21. On April 11, 2005, Ms. Daly was placed on administrative leave.

22. On May 11, 2005, Central Valley School District received a copy of a letter to Ms. Daly's Department of Corrections Community Custody Officer from Abstemious Outpatient Clinic. The letter stated that Ms. Daly was being discharged from her [REDACTED] Outpatient Program, effective May 10, 2005, for: failure to complete a UA within the 24 hours that was required; not calling or attending meetings for the past 2 days and therefore failing to complete a 6 month dependency program.

23. From December 6, 2004 to April 29, 2005, Ms. Daly used Central Valley School District computer equipment and technology to obtain and attempt to obtain hydrocodone through on-line pharmacies.

24. On March 8, 2005, Ms. Daly sent an e-mail from her Central Valley School District e-mail account to the e-mail address of [REDACTED]. In the e-mail, Ms. Daly asks the e-mail recipient about "UA's" (urinary analysis); states that she has to take a 10-panel screen and that the result will be positive for opiates; that she cannot do the "wds" (withdrawals); that she has "tried several times and I always cave cuz it hurts so bad".

25. On July 25, 2005, Central Valley School District issued a Letter of Probable Cause for Termination to Ms. Daly. Ms. Daly did not file an appeal for the termination and her employment with the Central Valley School District was terminated on August 16, 2005.

26. Ms. Daly submitted a resignation letter to the Central Valley School District, dated August 10, 2005. The letter was received by the Human Resources Department on August 31, 2005.

27. On September 20, 2005, an OAA/SRA-Request for Termination/Discharge was filed in Spokane County Superior Court by Ms. Daly's Community Custody Officer. During the twelve months of court-order supervision, Ms. Daly met her financial obligations to the court but did not meet her treatment or reporting obligations.

28. 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 Julie N. Daly and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence, that the Washington Education Certificate, No. 364618R, of Julie N. Daly, should be revoked as provided for in WAC 180-86-075.

3. Julie N. Daly has violated WAC 180-87-085, RCW 28A.410.090, WAC 180-86-013, and/or WAC 180-86-014.

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ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate, No. 364618R, of Julie N. Daly be revoked.

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

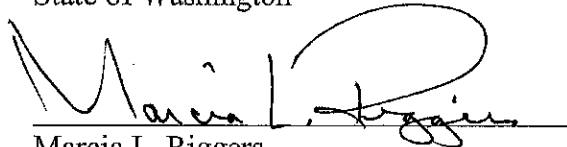
Office of Professional Practices

PO Box 47200

Olympia, WA 98504

DATED This 21st day of March, 2006.

DR. TERRY BERGESON
Superintendent of Public Instruction
State of Washington



Marcia L. Riggers
Assistant Superintendent
Student Support and Operations