



# 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	)	
CERTIFICATE OF	)	OPP No. D11-04-019
	)	
Douglas Grossman	)	FINAL ORDER
Certificate No. 475774F	)	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. 475774F, of Douglas Grossman, based on the Findings of Fact and Conclusions of Law set forth below:

### FINDINGS OF FACT

1. Douglas Grossman was issued a Washington Education Certificate, No. 475774F, on October 14, 2010. That certificate currently remains valid.
2. On or about April 11, 2011, the Office of Professional Practices (OPP), within OSPI, received information through the National Association of State Directors of Teacher Education and Certification (NASDTEC) database, that the state of California had taken action against Douglas Grossman's California Teaching Certificate.

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3. On August 18, 1997, Douglas Grossman was issued an Emergency 30-Day Substitute Teaching Permit by the California Commission on Teacher Credentialing (CCTC). That Emergency 30-Day Substitute Teaching Permit was renewed every year until 2005.

4. In April of 2003, while serving as a substitute teacher at Noble Elementary School in the Los Angeles Unified School District (LAUSD), Douglas Grossman made inappropriate comments to 1<sup>st</sup> grade students. On April 29, 2003, after recommendations to LAUSD administration from the Noble Elementary School principal, Douglas Grossman was issued notification that due to inadequate service, he would no longer be assigned to Noble Elementary School.

5. On March 12, 2004, while serving as a substitute teacher at Danube Elementary School in the LAUSD, Douglas Grossman made inappropriate comments to female staff and was overly persistent in his attempts to learn their personal contact information. The Danube Elementary School principal held a conference with Douglas Grossman about the issues and the principal recommended to LAUSD administration that Douglas Grossman no longer be assigned to serve at Danube Elementary School.

6. On March 24, 2004, while serving as a substitute teacher at Topeka Drive Elementary School in the LAUSD, Douglas Grossman made unwanted and persistent verbal advances to female staff, made inappropriate comments, including the use of profanity, in the presence of and towards students and staff, and hugged and asked to be hugged by 5<sup>th</sup> grade female students.

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7. On March 24, 2004 the principal at Topeka Drive Elementary School held a conference with Douglas Grossman to discuss concerns. Douglas Grossman asked the principal "to just let it go and not report him" and used strong profanity towards the principal. The principal made recommendations to LAUSD administration that Douglas Grossman not be reassigned to serve at Topeka Drive Elementary School and that Douglas Grossman be dismissed from substitute teacher employment. Douglas Grossman was sent notification that he would no longer be assigned to this LAUSD school.

8. On March 25, 2004, while serving as a substitute teacher at Haskell Elementary School, Douglas Grossman made persistent and unwanted attempts to gain the personal contact information of female staff and made inappropriate comments describing juvenile female students from other elementary schools. During a meeting with the assistant principal, Douglas Grossman, among other comments, asked the assistant principal not to report him.

9. After a phone conference with Douglas Grossman, the Haskell Elementary School principal made recommendations to LAUSD administration that Douglas Grossman no longer be assigned to serve at Haskell Elementary School and that he be dismissed from employment as a substitute teacher. Douglas Grossman was sent notification of these recommendations.

10. On March 29, 2004, the LAUSD sent Douglas Grossman a Notice of Separation from Employment. The letter informs Douglas Grossman that due to inadequate service reports, he is dismissed from substitute status; effective March 29, 2004. A corrected letter was sent on August 5, 2004.

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11. Douglas Grossman was employed in the Antelope Valley Union High School District in California from August 5, 2005 to June 13, 2006. His employment was terminated primarily for not appearing for assignments and poor classroom management. Douglas Grossman also received, and was notified of, complaints about inappropriate comments about his personal life and other inappropriate comments in the presence of students and/or staff.

12. On April 12, 2004, Douglas Grossman was arrested by Los Angeles Police Department (LAPD) officers for Driving a Motor Vehicle While Under the Influence (DUI); LAPD case #8085319. Douglas Grossman later pleaded nolo contendere to one count of DUI.

13. On July 1, 2005, Douglas Grossman was arrested by LAPD officers for DUI; LAPD Case #8639419. Douglas Grossman later pleaded nolo contendere to one count of DUI.

14. On October 31, 2005, Douglas Grossman was arrested by Los Angeles County Sheriff's Office (LASO) deputies for DUI; LASO case no. 8795910. Douglas Grossman later pleaded nolo contendere to one count of DUI.

15. On December 29, 2005, Douglas Grossman was arrested by Mountain View, CA Police Department officers for DUI and driving with a suspended license; Mountain View Police Department case #05-10736. Douglas Grossman later pleaded nolo contendere to one count of DUI.

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16. On March 20, 2006, Douglas Grossman was arrested by LASO deputies for DUI. Douglas Grossman later pleaded guilty to DUI.

17. On June 22, 2007, the California Commission on Teacher Credentialing (CCTC) sent Douglas Grossman a letter advising that the Commission had found probable cause to recommend the revocation of his teaching credentials. The Commission based its decision upon four (4) findings: Finding #1, December 2005 arrest and subsequent conviction for DUI; Finding #2, July 2005 arrest and subsequent conviction for DUI; Finding #3, April 2004 arrest and subsequent conviction for DUI; and Finding #4, failure to disclose pending charges from the July 1, 2005 arrest on his July 20, 2005 application for Emergency 30-day Substitute Teaching Permit.

18. On June 26, 2007, Douglas Grossman signed the certified mail receipt card for the letter from the CCTC advising of probable cause to recommend the revocation his California education permit.

19. On November 9, 2007, CCTC received a faxed letter from Douglas Grossman requesting reconsideration of the decision to revoke his Emergency 30-day Substitute Teaching Permit.

20. On December 13, 2007, CCTC issued Douglas Grossman a letter advising that the CCTC denied reconsideration of his matter and sustained its previous action to revoke all certification documents and deny any pending applications. Douglas Grossman was advised that all credentials, permits or other documents authorizing his employment in public schools of California have been revoked, effective January 12, 2008.

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21. On January 10, 2008, CCTC received a letter from Douglas Grossman requesting an administrative hearing and appeal of the decision of the Commission. CCTC responded to Douglas Grossman that he had missed the deadline for requesting an administrative hearing.

22. On February 10, 2010, Douglas Grossman went to the La Center School District and inquired about employment as a substitute teacher. When asked if he held an education certificate, Douglas Grossman stated that he did not have one but was a substitute in California.

23. On February 10, 2010, through Educational Service District (ESD) 112, Douglas Grossman submitted to the Washington state Office of Superintendent of Public Instruction (OSPI) an Application for Washington State Emergency Substitute Certification and accompanying Character and Fitness supplement.

24. On the Application for Washington State Emergency Substitute Certificate, Douglas Grossman falsely answered 'no' to the question of, "Have you ever held an educational certificate in another state?".

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25. On the Character and Fitness Supplement, a part of the application process, Douglas Grossman falsely answered 'no' to the questions of: "Have you ever held or do you currently hold any education certificate, credential or license authorizing service in the public/private schools in another state, province, territory or country?"; "Are you or have you ever been the subject of any certificate or licensing investigation or inquiry by any certification or licensing agency for allegations of misconduct?"; "Have you ever had any adverse action taken on any certificate or license?"; "Have you ever been dismissed, discharged, or fired from any employment position involving children or dependent adults?"; "In the last 10 years, have you ever been arrested for any crime or violation of the law?"; "In the last 10 years, have you ever been fingerprinted as a result of any arrest for any crime or violation of the law?"; "In the last 10 years, have you ever been convicted of any crime or violation of the law?"; "Have you ever been or are you currently under investigation in any jurisdiction for any possible criminal charges?"; "Have you ever exhibited any behavior or conduct which might negatively impact your ability to serve in a role which requires a certificate, credential, or license?"; and "Have you ever threatened to do physical harm to any person?".

26. A fingerprint background check result, a part of the application process, for Douglas Grossman returned showing criminal history for Douglas Grossman in California. On March 16, 2010, the Office of Professional Practices (OPP) sent Douglas Grossman a letter requesting documentation on his criminal history, a written explanation of each arrest and/or conviction and a written explanation on why he did not disclose the criminal history.

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27. On May 26, 2010, OPP sent Douglas Grossman a second letter requesting documentation on his criminal history and written explanations.

28. On June 30, 2010, OPP sent Douglas Grossman a letter stating that OPP has not received a response from him and his application is being withdrawn.

29. On September 27, 2010, OPP received documentation from Douglas Grossman about some of his criminal arrests and convictions. In his explanation on why he did not originally disclose his criminal history, Douglas Grossman stated:

I didn't disclose my criminal history because all of my convictions were driving offenses. These driving offenses were misdemeanors. I never had a felony in my entire life. I feel that these driving offenses have nothing to do with the safety of children. I'm applying for an emergency teaching license to substitute teach not to drive a motorized vehicle with children as passengers. During these driving offenses, no person was injured or harmed in any way.

30. Douglas Grossman, in his written explanations of his previous criminal offenses, listed his offenses as, "1<sup>st</sup> incident", "2<sup>nd</sup> incident", "3<sup>rd</sup> incident", and "5<sup>th</sup> incident". Douglas Grossman intentionally omitted an explanation and the documentation about his March 20, 2006 arrest and subsequent conviction for DUI in California.

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31. The court and law enforcement documentation that Douglas Grossman provided to OPP, as part of his disclosure and explanation of his criminal history, shows that Douglas Grossman was committed to serve numerous days in jail for criminal convictions and had warrants for his arrest filed and served on more than one occasion and for more than one criminal court case.

32. On February 17, 2010, Douglas Grossman submitted an application for classified employment with the Washougal School District. In the Employment History section, Douglas Grossman intentionally omitted previous employment with the Simi Valley School District and the Los Angeles Unified School District. In the Employment History section, Douglas Grossman falsely listed dates of employment with Antelope Valley, CA Union High School District as from September 2003 to December 2006 and falsely listed the reason for leaving employment as "moved to North Hollywood".

33. Under the section titled, "Personal Information" for the Washougal School District classified employment application, Douglas Grossman falsely answered 'No' to the question of "Within the last 7 years have you ever pled guilty, been convicted, fined, imprisoned, or placed on probation for violation of any law, police regulation, or ordinance".

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34. On a resume attached to the Washougal School District application for classified employment, Douglas Grossman listed Simi Valley, California School District, Antelope Valley, California Union High School District and Los Angeles, California Unified School District as previous employers. Douglas Grossman falsely listed the dates of employment with Antelope Valley as from September 2003 to December 2006 and the dates of employment with Los Angeles Unified School District from September 1999 to August 2003.

35. With the February 2010, Washougal School District application, Douglas Grossman completed Washington State Sexual Misconduct Disclosure Release forms for Simi Valley, California School District, Antelope Valley, California Union High School District and Los Angeles, California Unified School District.

36. On February 16, 2011, Douglas Grossman submitted a signed application for certificated employment with the La Center School District. On the application, Douglas Grossman falsely stated that his dates of employment with the Los Angeles, California Unified School District were from September 1999 to August 2003 and his dates of employment with the Antelope Valley, California Union High School District were from September 2003 to December 2006. On his resume, attached to the application, Douglas Grossman falsely stated he is "currently a licensed substitute teacher for Los Angeles County".

37. In February of 2011, Douglas Grossman submitted an electronic application for employment with the Battle Ground School District.

38. On the electronic application for a substitute teaching position with the Battle Ground School District, Douglas Grossman falsely stated: that he previously was employed with the Antelope Valley, California Union High School District (AVUHSD) from September 2003 to December 2006; the reason for leaving employment with AVUHSD was “relocated”; that he was previously employed with Los Angeles, California Unified School District (LAUSD) from September 1999 to August 2003; and the reason for leaving employment with LAUSD was that he relocated.

39. In May 2011, Douglas Grossman made numerous phone calls to Battle Ground School District administration staff that Battle Ground School District staff felt were threatening. During one phone call, Douglas Grossman informed a staff person that “they could not keep him from subbing”.

40. Douglas Grossman submitted an electronic application for certified and classified positions on March 1, 2011 and updated the application on March 21, 2011 for the Kelso School District.

41. On the March 1, 2011 electronic application for the Kelso School District, Douglas Grossman falsely stated: that he previously was employed with the AVUHSD from September 1, 2003 to December 1, 2006; the reason for leaving employment with AVUHSD was “I moved to Los Angeles CA”; that he was previously employed with LAUSD from September 1, 1999 to August 1, 2003; and the reason for leaving employment with LAUSD was that he moved to Lancaster, CA.

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42. On the March 21, 2011 updated electronic application for the Kelso School District, Douglas Grossman intentionally omitted the Antelope Valley Union High School District, the Los Angeles Unified School District and the Simi Valley School District from his employment history. Douglas Grossman provided a verified electronic signature on March 21, 2011.

43. On the cover letter/resume Douglas Grossman submitted for both Kelso School District employment applications, Douglas Grossman falsely stated that , “Currently, I’m a licensed substitute in Los Angeles County.”

44. On the Disclosure statement, part of the applications for employment with the Kelso School District, Douglas Grossman falsely answered ‘No’ to the questions of: “Have you ever had any license or certificate of any kind revoke (sic), suspended, or reprimanded or have you in any way been sanctioned by, or is any charge or complaint now pending against you, before any licensing, certification or other regulatory agency, or body, public or private?”; “Have you ever been discharged or non-renewed from any employment?”; and “Have you ever been convicted of any crime?”.

45. During the employment application process with the La Center School District, Douglas Grossman was required to submit Washington State Sexual Misconduct Disclosure Release Forms for each of his previous school district employments. Los Angeles Unified School District returned the completed form to La Center School District with the ‘Yes’ box checked for “*sexual misconduct material found*”.

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46. On March 24, 2011, Douglas Grossman submitted an application for classified employment with the Washougal School District. On his application for employment and attached resume, Douglas Grossman intentionally omitted previous employment with the Simi Valley, California School District, Los Angeles, California Unified School District and the Antelope Valley, California Union High School District.

47. On the Washougal School District application for classified employment, Douglas Grossman falsely answered 'No' to the questions of: "Within the last 7 years have you ever pled guilty, been convicted of, fined, imprisoned or placed on probation for violation of any law, police regulation, or ordinance"; and "Have you ever been convicted of any crime not otherwise listed".

48. On March 29, 2011, after numerous persistent phone calls from Douglas Grossman, Linda Haseman, Kelso School District Human Resources Assistant Supervisor-Classified, contacted Douglas Grossman. During the conversation, among other topics and comments, Ms. Haseman asked Douglas Grossman why the sexual misconduct form would be returned from a California school district with a 'Yes' answer. Douglas Grossman stated that he did not know why that would be a concern because it was another state, about ten (10) years ago when he was young and he had matured since then..

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49. On April 15, 2011, Vancouver School District received an application for classified employment from Douglas Grossman. On his application for employment and attached resume, Douglas Grossman intentionally omitted previous employment with the Simi Valley, California School District, Los Angeles, California Unified School District and the Antelope Valley, California Union High School District and intentionally omitted that he held a Washington State Emergency Substitute Teacher certificate.

50. On the disclosure statement, part of the Vancouver School District application for employment, Douglas Grossman falsely answered 'No' to the questions of: Have you ever had any license or certificate of any kind revoke(sic), suspended, or reprimanded or have you in any way been sanctioned by, or is any charge or complaint now pending against you, before any licensing, certification or other regulatory agency, or body, public or private?"; "Have you ever been discharged or non-renewed from any employment?"; and "Have you ever been convicted of any crime?".

51. On April 20, 2011, Vancouver School District contacted Douglas Grossman to inform him that he would not be considered for employment. During the phone call, Douglas Grossman became verbally upset and persistent in attempting to learn why.

52. On April 12, 2011, Douglas Grossman completed a Washington State Sexual Misconduct Disclosure Release Form for the Washougal School District. On the form, Douglas Grossman falsely answered 'No' for the question of "No Prior School District Employment".

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53. In April 2011, Doug Bright, Director of Human Resources for the Washougal School District, met with Douglas Grossman. Mr. Bright informed Douglas Grossman that there were concerns that Douglas Grossman had not been honest in filling out sexual misconduct forms. Douglas Grossman said that he did not mark previous school district employment on the 2011 Washington State Sexual Misconduct Disclosure Release forms because "it happened so long ago". When asked why a form would be returned with notation that sexual misconduct material was located at a previous school district, Douglas Grossman gave more than one reason. When informed that he would not be considered for employment, Douglas Grossman's behavior escalated and as leaving, Douglas Grossman repeatedly yelled strong profanity at Mr. Bright.

54. On May 10, 2011, Douglas Grossman sent a letter to OPP. In the letter, Douglas Grossman falsely states, among other comments, that he "was oblivious to the fact that my emergency certificate was revoked (sic) in California. I sought full time employment and I was never notified of the revocation of my teaching certificate".

55. On May 19, 2011, OPP sent Douglas Grossman a list of questions providing him, as per RCW 28A.410.090, the opportunity to respond to allegations of misconduct.

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56. On May 31, 2011, Douglas Grossman called OPP and spoke with an OPP investigator. During the phone conversation, Douglas Grossman, among other comments, said: that he was going “to get a lawyer and make your life a fucking hell”; said that the questions sent to him for response were “49 pages of bullshit”; that this was a “bunch of bullshit”; and “this is bullshit what you’re doing”. Douglas Grossman was asked to return his response to the questions or have an attorney contact OPP by June 13, 2011.

57. As of June 13, 2011, OPP has not received Douglas Grossman’s completed statement questionnaire or a letter of representation from an attorney.

58. RCW 28A.410.090 (5) states, in part: “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 finding that the certificate holder obtained the certificate through fraudulent means, including fraudulent misrepresentation of required academic credentials or prior criminal record.”

59. 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 Douglas Grossman and over the subject matter of this action.
  
2. OSPI has shown by clear and convincing evidence, that the Washington Education Certificate, No. 475774F, of Douglas Grossman, should be revoked as provided for in WAC 181-86-075.
  
3. Douglas Grossman has violated RCW 28A.410.090, WAC 181-87-050, WAC 181-86-013, and/or WAC 180-86-014.

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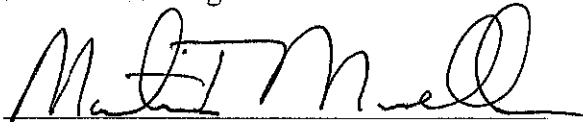
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**ORDER**

THEREFORE, it is hereby ordered that the Washington Education Certificate, No. 475774F, of Douglas Grossman be revoked.

DATED This 14<sup>th</sup> day of September, 2011.

RANDY I. DORN  
Superintendent of Public Instruction  
State of Washington



Martin T. Mueller  
Assistant Superintendent  
Student Support

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