



# 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. D08-03-019
	)	
Joseph Starkey	)	FINAL ORDER OF
Certificate No. 432830H	)	MANDATORY PERMANENT
	)	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 permanently revoke the Washington Education Certificate, No. 432830H, of Joseph Starkey, based on the Findings of Fact and Conclusions of Law set forth below:

## FINDINGS OF FACT

1. Joseph Starkey was issued a Washington Education Certificate, No. 432830H, on October 10, 2006. That certificate currently remains valid.
2. Joseph Starkey was employed by the Longview Public Schools.
3. On March 24, 2008, the Office of Professional Practices (OPP), within OSPI, received a complaint letter from the Superintendent of the Longview School District alleging a lack of good

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moral character or personal fitness, or a violation of the Code of Professional Conduct, Washington Administrative Code (WAC) 181-87, by Joseph Starkey.

4. Between March 12, 2008 and March 15, 2008, Joseph Starkey had sexual intercourse with a fifteen-year old female student, A.M., and provided liquor to A.M..

5. On March 15, 2008, Longview Police Department began in investigation for a report of a juvenile runaway, A.M., at Joseph Starkey's residence; Longview Police Department Incident Report L08-6269. During investigation, Joseph Starkey told Longview Police Department officers that: he was the high school math teacher for A.M.; that A.M. had been at his residence since March 12, 2008; that he knew she was a reported runaway; that he had engaged in sexual intercourse with A.M.; and that he had provided liquor to A.M..

6. On March 15, 2008, Joseph Starkey was arrested by Longview Police Department officers for: thirteen (13) counts of Rape of a Child 3<sup>rd</sup> Degree, RCW 9A.44.079; Unlawful Harboring of a Minor, RCW 13.32A.080; and Furnishing Liquor to a Minor, RCW 66.44.270.1. Mr. Starkey was booked and incarcerated in the Cowlitz County Jail on the above-listed charges; Longview Police Department Incident Report L08-6269.

7. On March 19, 2008, an Information and Probable Cause Statement were filed in Cowlitz County Superior Court charging Joseph Starkey with six (6) counts of Rape of a Child Third Degree, RCW 9A.44.079, and one count of Furnishing Liquor to a Minor, RCW 66.44.270 (1); Cowlitz County Superior Court Cause No. 08-1-00323-7.

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8. On March 19, 2008, Joseph Starkey submitted a letter of resignation to the Longview Public Schools; resigning his employment immediately.

9. On June 24, 2008, Joseph Starkey signed a Statement of Defendant on Plea of Guilty, in which he pleaded guilty to three (3) counts of Rape of a Child 3<sup>rd</sup> Degree, RCW 9A.44.079; Cowlitz County Superior Court Cause #08-1-00323-7.

10. On July 29, 2008, Joseph Starkey was found guilty by plea of three (3) counts of Rape of a Child 3<sup>rd</sup> Degree, RCW 9A.44.079 and sentenced to: \$1995 total court costs; restitution to be determined later; no contact with A.M. for five (5) years; sixty (60) months total confinement; execution of sentence is suspended and Joseph Starkey is under community custody supervision with the Department of Corrections; undergo and successfully complete outpatient sex offender treatment program for a minimum period of three (3) years; serve ten (10) months total confinement; sex and kidnapping offender registration requirements; and other conditions.

11. Joseph Starkey has not provided to OPP a response to the allegations of misconduct.

12. Joseph Starkey has pleaded guilty or been convicted of a crime identified in Revised Code of Washington (RCW) 28A.410.090(3). Such a plea or conviction authorizes OSPI to permanently revoke the Education Certificate.

13. 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 Joseph Starkey and over the subject matter of this action.
  
2. OSPI has shown by clear and convincing evidence that the Washington Education Certificate, No. 432830H, of Joseph Starkey, should be revoked, as provided for in WAC 181-86-075.
  
3. Joseph Starkey has violated WAC 181-87-080, WAC 181-86-013, WAC 181-86-014, and/or RCW 28A.410.090.

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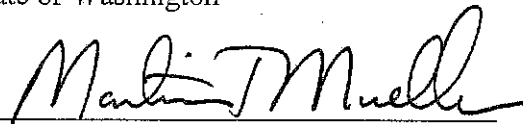
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ORDER

It has been thirty days since the Proposed Order of Mandatory Permanent Revocation was received. The appeal time period has passed. It is hereby ordered that the Washington Education Certificate, No. 432830H, of Joseph Starkey is revoked.

DATED This 10<sup>th</sup> day of October, 2008.

DR. TERRY BERGESON  
Superintendent of Public Instruction  
State of Washington



Martin T. Mueller  
Assistant Superintendent  
Student Support