

I, Maggie Pezi certify that on June 22, 2005, I mailed a copy of 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 )  
 )  
WILLIAM BONE )  
CERTIFICATE NO. 239225F )  
\_\_\_\_\_ )

OPP No. D03-02-024  
  
FINAL ORDER OF  
REVOCATION

COMES NOW Arlene Hett, Review Officer of the Office of Superintendent of Public Instruction (OSPI), having reviewed the files of the above-referenced case, and having considered the arguments of each party and the recommendation of the Admissions and Professional Conduct Advisory Committee, does hereby order that the Washington Education Certificate, No. 239225F, of William Bone be revoked based on the Findings of Fact and Conclusions of Law set forth below:

**FINDINGS OF FACT**

1. William Bone was issued a Washington Education Certificate, No. 239225F, on March 21, 1980. That certificate currently remains valid.
2. Mr. Bone was employed by the White River School District from 1992 until June 30, 2003.
3. On April 26, 1995, the Office of Professional Practices, within OSPI, received a complaint letter alleging a lack of good moral character of personal fitness, or a violation of the Code of Professional Conduct, Washington Administrative Code (WAC) 180-87, by Mr. Bone.
4. An annual evaluation on Mr. Bone for the 1992-1993 school year at White River Middle School states: under Classroom Management, the evaluation states that Mr. Bone had difficulty in getting to his classes in a timely manner; and under Effort Toward Improvement Needed, the evaluation mentions anger outbursts. The overall evaluation was rated as satisfactory.

5. An annual evaluation on Mr. Bone for the 1993-1994 school year states, under Effort Toward Improvement Needed, that Mr. Bone "still needs to guard against (a) his tendency to bully kids about the importance of band and (b) pulling kids out of other classes for practice." The overall evaluation was rated as satisfactory.
6. On November 14, 1994, Mr. Bone received a Memo of Concern for Student Safety. The memo from Gary Benedetti, Principal at White River Middle School, stated four (4) areas of concern: physically touching female students; proper supervision and classroom management of students; using profanity and other verbal abuse towards students; and physically grabbing, threatening, or harassing students.
7. On January 6, 1995, Mr. Bone received a letter of Continued Concern for Student Safety from Gary Benedetti. On January 20, 1995, Mr. Bone received a letter as a result of a Discipline Conference agreement. The letter summarized complaints of physically grabbing a student, verbally threatening and/or intimidating students, and anger displays during a concert performance.
8. On January 20, 1995, sexual harassment forms were completed, by two female elementary school students, H.M. and T.L. at Foothills Elementary School, with results of a founded complaint of sexual harassment against Mr. Bone.
9. On January 27, 1995, Mr. Bone was placed on administrative leave pending an investigation for sexual misconduct. Carolyn Rembert, Principal at Foothills Elementary School in 1995, conducted an investigation into the sexual harassment complaint. There were also complaints of Mr. Bone becoming angry and expressing his emotions in ways that were demeaning to students and throwing objects, such as a drumstick. When Carolyn Rembert spoke with Mr. Bone about anger displays, he stated that the students "made me angry; they didn't turn in their practice sheets". When asked about improper touching issues, Mr. Bone stated that "it could have happened".
10. On March 29, 1995, Mr. Bone receive a Written Reprimand for sexual misconduct with H.M. and T.L.. As part of the reprimand, Mr. Bone was relieved of his teaching duties at

Foothills Elementary School and ordered to undergo psychological assessment, including a segment on anger management. Mr. Bone was also ordered not to engage in any displays of anger in the presence of students.

11. On April 7, 1995, the students at White River Middle School staged a walk-out protest over Mr. Bone returning to classroom duties. Gary Benedetti was the principal at White River Middle School in 1995.
12. In June of 1995, Mr. Bone left school prior to the scheduled end of the year and did not complete required check-out procedures, without notifying the principals at Mountain Meadows Elementary School and Foothills Elementary School. Mr. Bone had received approval from the District Superintendent prior to leaving the schools.
13. In June of 1995, Mr. Bone failed to report and/or complete student grades for part of the 1994-95 school year at Mountain Meadows, White River Middle School, and Foothills Elementary Schools.
14. An annual evaluation on Mr. Bone for the 1994-1995 school year at White River Middle School states: under Handling of Student Discipline and Attendance Problems, that this category is unsatisfactory. "Throughout the year there have been allegations that have caused students to question their safety while in this presence. These allegations have been addressed with Mr. Bone through memos, informal and formal conferences, a letter of agreement, and a letter of reprimand. His loss of temper and inability to control his anger when dealing with students are key issues. The overall rating of the evaluation was satisfactory.
15. On August 31, 1995, Mr. Bone received a Written Reprimand for failing to provide grades in a timely manner and for failing to adequately provide documentation for grades. Gary Benedetti issued a written reprimand to Mr. Bone for not adequately documenting fourth quarter grades. The final grades for the 2<sup>nd</sup> trimester were not supported by any grades during the 4<sup>th</sup> quarter of the year.

16. On October 7, 1996, the complaint, dated April 26, 1995, was dismissed without prejudice by OPP.
17. On April 8, 1997, the mother of a 6<sup>th</sup> grade female student, E.Sn., sent Mr. Bone a letter expressing concern over anger displays in her daughter's 6<sup>th</sup> grade band class. E.Sn., Elk Ridge Elementary student, states that Mr. Bone would yell and was angry.
18. On May 1, 1997, Mr. Bone received a Letter of Concern. The letter from Harley Ruff, Elk Ridge Elementary School Principal, stated concerns regarding behaviors that could be considered sexual or unwelcome to students. This includes comments such as "sweetie" or "honey", touching in any way that could be perceived as unwelcome, and yelling and verbal abuse towards students.
19. An annual evaluation on Mr. Bone for the 1996-1997 school year for Elk Ridge Elementary School states, under Interest in Teaching Pupils, that student perception to his intentions "make it imperative that Bill avoid any behaviors that could be considered unwelcome by students including calling them by terms of endearment, touching in any way and not being alone with students." The overall evaluation was rated as satisfactory.
20. On December 15, 1997, Mr. Bone received a Letter of Continued Concern. The letter written by Jon Zurfluh, Elk Ridge Elementary School Principal, states concerns regarding communication with students, including yelling, anger displays, and verbal abuse towards students.
21. E.St., currently a student at White River High School, was a male 6<sup>th</sup> grade student at Elk Ridge Elementary School in 1997-1998. E.St. was in Mr. Bone's band class. E.St. states that Mr. Bone touched his buttocks. Mr. Bone also made comments such as "Shake your money maker" and "You're cute when you whine" to E.St.. E.St. also states that Mr. Bone became violently angry during class. E.St. recalls Mr. Bone breaking and throwing batons and kicking chairs and music stands.
22. H.J., currently a student at White River High School, was a 6<sup>th</sup> grade student at Elk Ridge Elementary School in 1997-1998. H.J. was in Mr. Bone's band class. H.J. states that Mr.

Bone had an extremely bad temper and was angry at certain student almost daily. H.J. witnessed Mr. Bone throw a baton during class. The baton almost struck H.J. and did strike E.St..

23. On February 2, 1998, Mr. Bone received an investigative summary letter from White River School District Superintendent Jay Hambly. The letter addresses inappropriate comments towards students and displays of anger towards students.
24. An annual evaluation on Mr. Bone for the 1997-1998 school year for Elk Ridge Elementary School states, under Professional Preparation, Scholarship and Responsibility, that Mr. Bone "has often been late for class this year sometimes requiring that he gather students who have been excused to recess in order to hold class". This area is rated as below expectations. In the same evaluation, under Handling of Student Discipline and Attendant Problems, it states that "as noted previously, issues still remain in how Mr. Bone communicates with students. He has difficulty working with students of elementary age . . . The way he approaches and communicates with students is sometimes abrupt and can be disruptive to other environments". The overall rating of the evaluation was "meets expectations".
25. On February 12, 1999, a meeting was conducted to discuss continued psychological treatment for Mr. Bone. As a result of the meeting between Mr. Bone and White River School District administrators, it was decided that Mr. Bone would continue with the District ordered treatment program.
26. On June 13, 2001, Karen Durgin, the parent of a 6<sup>th</sup> grade female Elk Ridge Elementary School student, sent a letter to Mr. Bone expressing concern over anger displays during her daughter's 6<sup>th</sup> grade band class. S.D., Elk Ridge Elementary student, states that during the 2000-2001 school year. Mr. Bone became upset slammed his hand against a chalkboard and yelled at the students. S.D. states during the 2000-2001 school year, Mr. Bone shoved down her music stand to its lowest point.
27. B.M., Elk Ridge Elementary student, states that on December 10, 2001, Mr. Bone threw a pair of pliers over the heads of students and across the classroom. The pliers struck a wall and almost struck students.

28. On May 28, 2002, Mr. Bone received a Verbal Reprimand for failing: to report the incident to an administrator; complete the required paperwork in a timely manner; and making his presence known at the scene of an emergency. The incident was a medical emergency with a student involved in a drama performance.
29. During the first part of the 2002-2003 school year, S.P., a 6<sup>th</sup> grade male student, states that he observed Mr. Bone looking down the shirts of the females in the 5<sup>th</sup> grade band class. S.P states that Mr. Bone would stand on one side of the music stands from the females. When the females would lean forward, Mr. Bone would look down their shirts. S.P also states that he observed Mr. Bone kneeling on the floor in front of a female student wearing a dress. S.P states that he saw Mr. Bone looking towards the girl's crotch area. After class, the girl asked S.P, "Is it me or did he look up my skirt?"
30. On October 17, 2002, and October 24, 2002, Mr. Bone failed to appear for a scheduled class at Elk Ridge Elementary School. The class was scheduled to start at 2:15 p.m. and students assembled outside the locked classroom. At 2:26 p.m. Mr. Bone had not yet arrived for class and Fritz Gere, Elk Ridge Elementary School Principal, sent the students to other classes.
31. In November or December of 2002, Mr. Bone placed his hand upon S.P's leg. S.P was seated and Mr. Bone was standing alongside him. Mr. Bone dropped his pencil, knelt down on one knee to pick up the pencil. Mr. Bone picked up the pencil with his right hand and placed his left hand on S.P's leg, above the knee.
32. In December of 2002, Mr. Bone became angry with S.P, a student at Elk Ridge Elementary School. Mr. Bone yelled at S.P for approximately 5 minutes and followed S.P out of the classroom to continue the argument.
33. On January 16, 2003, Mr. Bone left his classroom unattended. Mr. Bone left an un-certificated person in the classroom with students.
34. On February 6, 2003, Mr. Bone received a letter titled RE: Band Concerns from Fritz Gere, Elk Ridge Elementary School Principal, stating concerns regarding verbal abuse towards

S.P. The letter also served as a written reprimand for Mr. Bone being late to arrive at a scheduled class on January 27, 2003, and for missing a scheduled class on January 30, 2003.

35. On February 18, 2003, 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 Mr. Bone.
36. On January 27, 2003, Mr. Bone was late for a class scheduled to start at 9:30 a.m. at Elk Ridge Elementary School.
37. On January 30, 2003, Mr. Bone failed to appear for a scheduled class at Elk Ridge Elementary School. The class was scheduled to start at 2:15 p.m. An attempt was made to locate Mr. Bone at White River High School but he could not be located. Mr. Bone contacted Fritz Gere on January 31, 2003, and stated that he had gone to Tacoma for an item.
38. On January 31, 2003, and February 1, 2003, Mr. Bone attended a drama performance under the influence of intoxicants. Mr. Bone also had anger displays at the drama performance. E.St., White River High School student, states that he observed the odor of intoxicants upon Mr. Bone's breath at the drama performance. J.P., a 10<sup>th</sup> grade student at White River High School, states that she observed the odor of intoxicants upon Mr. Bone's breath during the drama performance. Herb Entz, a White River School District employee and parent of S.E., states that he smelled the odor of intoxicants upon Mr. Bone's breath at the drama performance in January-February of 2003.
39. On January 31, 2003, J.P. observed Mr. Bone embrace 2 or 3 female students. J.P. observed Mr. Bone kiss one female student on the lips and kiss one or two other female students on the cheek. S.E., a tenth grade female student, states that Mr. Bone embraced her with one arm and embraced another female student. S.E. states that Mr. Bone kissed her upon the cheek and kissed another female student on the cheek.

40. On January 31, 2003, or February 1, 2003, J.P. heard Mr. Bone become angry with Z.B., a 12<sup>th</sup> grade male student at White River High School. J.P. heard the sound of flesh striking flesh while Mr. Bone was angry with Z.B..
41. On February 6, 2003, Mr. Bone was placed on administrative leave pending an investigation into allegations of: intoxication at play productions; inappropriate displays of anger; inappropriate conduct of a sexual nature with students; possession of inappropriate material at school; lack of supervision of students; being alone with female students, causing them to feel uncomfortable ; and being late or absent from his assigned work site.
42. On February 13, 2003, Mr. Bone submitted a letter for resignation with an effective date of June 30, 2003.
43. In a sworn statement prepared on August 4, 2003, Mr. Bone states: that he denies any alcohol use at any time while in the supervision of students or while on district property; that on January 30, 2003, he became angry with a student at a drama performance but that he was "not so angry that I could not listen to reason . . ."; that during the drama performance of January-February of 2003, he did put his arms around female student and kissed two (2) of the females on the cheek. His "intent was to recognize them for their outstanding effort . . . within the context of this situation, this was not exploitive or sexually willful, no more than (sic) a coach hugging his players or slapping them on the backside after a good game"; that during the final week of the January-February 2003 drama performance, he "did not remember a voluntary extra-help session with an elementary group and went to Tacoma"; that he has been late by five to ten minutes (to a class at the elementary school) in three instances since the beginning of the school year.
44. Good moral character and personal fitness is a continuing requirement to maintain a Washington Education Certificate.

#### CONCLUSIONS OF LAW

1. OSPI has jurisdiction over William Bone and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence that the Washington Education Certificate, No. 239225F, of William Bone, should be revoked as provided for in WAC 180-86-075.
3. William Bone has violated WAC 180-87, WAC 180-86-013, WAC 180-86-014 and/or RCW 28A.410.090.

**ORDER**

THEREFORE, it is hereby ordered that the Washington Education Certificate, No. 239225F, of William Bone, be revoked.

This Order will become final thirty (30) calendar days from the date of receipt of this order unless respondent files an appeal for a formal hearing before the Office of Administrative Hearings. Please direct the appeal and request for formal hearing to Office of Superintendent of Public Instruction, Administrative Law Office, Old Capitol Building, P.O. Box 47200, Olympia, WA 98504-7200.

DATED this 22nd day of June, 2005.

DR. TERRY BERGESON  
Superintendent of Public Instruction  
State of Washington

  
\_\_\_\_\_  
DR. ARLENE HETT  
Review Officer