



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. D04-06-052

Nick J. Grubich)
Certificate No. 278019E)

AGREED ORDER
OF SUSPENSION

COMES NOW the Office of Superintendent of Public Instruction, 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 stipulate by and between the Office of Professional Practices (OPP), Office of Superintendent of Public Instruction (OSPI), and Nick J. Grubich, that the Washington Education Certificate, No. 278019E, of Nick J. Grubich, shall be suspended, based on the Findings of Fact and Conclusions of Law set forth below:

FINDING OF FACTS

2. Nick J. Grubich was issued a Washington Education Certificate, No. 278019E, on August 31, 1987. That certificate currently remains valid.

2. During the 1993/1994 school year Nick J. Grubich was employed by the Orondo School District.

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3. On August 29, 1994, the Office of Professional Practices, within OSPI, received a complaint letter from the superintendent of the North Central Educational Service District, Gene Sharratt, alleging violations of the Code of Professional Conduct, Washington Administrative Code (WAC) 180-87, by Nick J. Grubich.

4. On August 8, 1994, Nick J. Grubich was issued a Notice of Suspension with pay and a Notice of Probable Cause for Discharge and Breach of Contract by Grant Daniel, Vice President of the Orondo School District #13 Board of Directors. The Board and District legal counsel conducted an initial investigation covering general areas of alleged harassment, evaluations, and grant application misrepresentations.

5. On September 27, 1994, the Board of Directors of Orondo School District #13 entered into a Resignation and General Release Agreement with Nick J. Grubich. Nick J. Grubich voluntarily resigned his position as Superintendent with Orondo School District #13 effective August 5, 1994.

6. On August 14, 1996, OSPI dismissed without prejudice the complaint filed August 29, 1994, against Nick J. Grubich.

7. Nick J. Grubich was employed by the Richland School District as Principal of Tapteal Elementary School from 1999 to September 2004.

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8. On June 10, 2004, the Office of Professional Practices, within OSPI, received a complaint letter from the superintendent of the Richland School District 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 Nick J. Grubich.

9. While employed with the Richland School District, Nick J. Grubich failed to properly observe and evaluate staff while principal of Tapteal Elementary School.

10. While employed with the Richland School District Nick J. Grubich made numerous inappropriate and negative comments to staff.

11. While employed with the Richland School District, Nick J. Grubich made inappropriate and negative comments to students.

12. While employed with the Richland School District, Nick J. Grubich left a 3rd grade student locked in the problem solving room unsupervised and without notifying the parents.

13. On October 3, 2003, Nick J. Grubich was issued a Summary of Expectations for Improved Performance by Assistant Superintendent Dr. Jean Lane.

14. While employed with the Richland School District, Nick J. Grubich used his school district computer to send and receive personal emails with a female known only as Julia. Some of the emails were sexually suggestive.

15. On May 12, 2004, a Notice of Probable Cause for Non-renewal and Discharge was issued to Nick J. Grubich by Dr. Richard Semler, Superintendent. The 2003/2004 Principal Leadership Evaluation Summary for Nick J. Grubich completed by Dr. Jean Lane noted unsatisfactory performance in Principal Leadership Responsibility 1,3,4,5, 6 and needs improvement in #2.

16. On September 2, 2004 Francois X. Forgette, hearing officer, issued a final decision that the Richland School District had sufficient cause to non-renew and/or discharge Nick J. Grubich.

17. Good moral character and personal fitness is a continuing requirement to maintain a Washington Education Certificate.

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Nick J. Grubich and over the subject matter of this action.

3. OSPI has shown by clear and convincing evidence that Washington Education Certificate, No. 278019E, of Nick J. Grubich, should be suspended as provided for in WAC 181-86-070.

3. Nick J. Grubich has violated WAC 181-87-060, RCW 28A.410.090, WAC 181-86-013, WAC 181-86-014, and/or WAC 181-40-235.

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ORDER


THEREFORE, it is hereby ordered and agreed that the Washington Education Certificate, No. 278019E, of Nick J. Grubich, be suspended for eighteen (18) months from the date of entry of this Order.


Reinstatement shall require submission of a new application, provided by OPP and having Nick Grubich's fingerprints be checked by both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP).

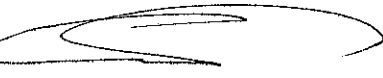
DATED This 31 day of October, 2006.

DR. TERRY BERGESON
Superintendent of Public Instruction
State of Washington

Stipulated to and approved
For entry:


Nick J. Grubich, Respondent


~~Marcia L. Riggers~~ Martin Mueller
Assistant Superintendent
Student Support and Operations


Edward F. Shea, Jr., Attorney for Respondent
WSBA # 23704