



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)
GARY HEATH)
Certificate No. 220889J)
_____)

OPP No.D02-01-012
ORDER OF SUSPENSION

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 suspend the Washington Education Certificate No. 220889J, of Gary Heath for a minimum of 12 months based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. Gary Heath was issued a Washington education certificate, No. 220889J, on August 29, 2001. This certificate currently remains valid.
2. Gary Heath was employed by the Spokane School District.
3. On January 11, 2002, the Office of Professional Practices, within OSPI, received a complaint letter from the Superintendent of the Spokane 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) 180-87, by Gary Heath.

4. On or about December 13, 2001, Gary Heath touched female students FS1, FS2, FS3, and FS4 on the buttocks during shop class.

5. On or about December 19, 2001, Gary Heath received a letter from the Director of Certified Staff and Substitute Services, Staci S. Vesneske, stating that he would no longer be offered substitute teaching assignments.

6. On or about January 31, 2002, Gary Heath received a letter stating the allegations from Staci S. Vesnesky.

7. Good moral character and personal fitness is a continuing requirement to maintain a Washington education certificate.

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Gary Heath and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence that the Washington education certificate, No. 220889J, of Gary Heath, should be suspended as provided for in WAC 180-86-070.

3. Gary Heath has violated WAC 180-87 and 180-86.

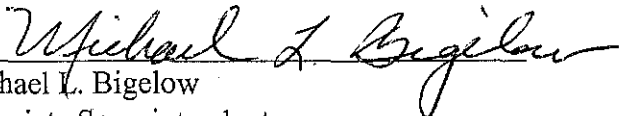
ORDER

THEREFORE, it is hereby ordered that the Washington education certificate, No. 220889J, of Gary Heath be suspended for a minimum of 12 months.

This order may be appealed within thirty (30) calendar days from the date of receipt, pursuant to Chapter 180-86 WAC, copy enclosed. Reinstatement shall require submission of a new application, provided by OPP and having Gary Heath's fingerprints be checked by both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP).

DATED this 10th day of January, 2003.

DR. TERRY BERGESON
Superintendent of Public Instruction
State of Washington

By: 
Michael L. Bigelow
Associate Superintendent
Budget and School Business Services