

I, Maggie Pagan certify that on June 27, 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)
)
WILFORD STUBBS)
CERTIFICATE NO. 331055D)
_____)

OPP No. D04-08-083

FINAL ORDER OF
SUSPENSION

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. 331055D, of Wilford Stubbs be suspended for thirty-six (36) months based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. Wilford Stubbs was issued a Washington Education Certificate, No. 331055D, on June 30, 1994. That certificate currently remains valid.
2. Wilford Stubbs was employed by the Yakima School District.
3. On August 26, 2004 the Office of Professional Practices, within OSPI, received a complaint letter from the superintendent of the Yakima 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 Wilford Stubbs.
4. During the 2001-2002 school year, Mr. Stubbs was employed by the Sunnyside School District. During the 2001-2002 school year, Mr. Stubbs placed his hand on the back, and under the shirt of Celeste Elizondo, a 7th grade teacher in the Sunnyside School District. Mr. Stubbs stood very close to Ms. Elizondo, making her feel uncomfortable. Mr. Stubbs, one day, placed his arms around Ms. Elizondo, from behind, and placed his head on her neck.
5. From September of 2002 until about October of 2003, Mr. Stubbs had an affair with Debra DeJong, a classified employee with the Yakima Public Schools. This affair occurred off school grounds and after normal school hours.

WILFORD STUBBS
FINAL ORDER OF SUSPENSION

6. During the 2003-2004 school year, Mr. Stubbs engaged in sexual relations with a certificated teacher, Julia Harmia, in Mr. Stubbs' office at Washington Middle School. This activity occurred between 40-60 times, over the course of the school year, during Mr. Stubbs' lunch and/or prep period.
7. During the months of June to July of 2004 while employed during summer school session, Mr. Stubbs engaged in sexual relations with Ms. Harmia at Washington Middle School.
8. Mr. Stubbs resigned from the Yakima School District on August 10, 2004.
9. In a signed statement, dated December 22, 2004, Mr. Stubbs admits to having sexual relations with Ms. Harmia during the 2003-2004 school year, including summer school. Mr. Stubbs states that he has sought and is receiving counseling and regrets his conduct with Ms. Harmia.
10. In a statement signed February 18, 2005, Dr. Richard Cole, Superintendent of the Sunnyside School District, states that during the time Mr. Stubbs was employed with the Sunnyside School District there were no substantiated claims of sexual harassment made against Mr. Stubbs. Dr. Cole states that one complaint was made by a teacher that Mr. Stubbs made her feel uncomfortable with comments about her physical appearance or dress but no written complaint was filed.
11. Good moral character and personal fitness is a continuing requirement to maintain a Washington education certificate.

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Wilford Stubbs and over the subject matter of this action.
2. OSPI has shown by clear and convincing evidence that the Washington Education Certificate, No. 331055D, of Wilford Stubbs, should be suspended as provided for in WAC 180-86-070.
3. Wilford Stubbs has violated RCW 28A.410.090, WAC 180-87-060, WAC 180-86-013, and WAC 180 86-014.

ORDER

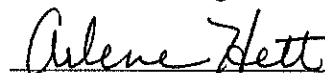
THEREFORE, it is hereby ordered that the Washington Education Certificate, No. 331055D, of Wilford Stubbs, be suspended for thirty-six (36) months.

Conditions of the suspension being lifted shall require: 1) successful completion of a psychological evaluation which validates Wilford Stubbs' ability to have unsupervised access to children, by an evaluator mutually agreed upon by the Office of Professional Practices (OPP) and Wilford Stubbs; 2) that Wilford Stubbs follows and completes any and all treatment recommended in the evaluation; 3) that Wilford Stubbs provides a release authorizing OPP to have access to records of any and all evaluation and any and all subsequent treatment undertaken; 4) that the cost of conformance to all requirements will be the responsibility of Wilford Stubbs; and 5) submission of a new application, provided by OPP and having Mr. Stubbs' fingerprints checked by both the federal Bureau of Investigation (FBI) and the Washington state Patrol (WSP).

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



ARLENE HETT
Review Officer