



# SUPERINTENDENT OF PUBLIC INSTRUCTION

RANDY I. DORN 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. D07-03-026
	)	
Claire Keith	)	FINAL ORDER
Certificate No. 188417J	)	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. 188417J, of Claire Keith for twelve (12) months based on the Findings of Fact and Conclusions of Law set forth below:

### FINDINGS OF FACT

1. Claire Keith was issued a Washington Education Certificate, No. 188417J, on February 18, 1972. That certificate currently remains valid.

2. Claire Keith was employed by the Toppenish School District.

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CLAIRE KEITH  
FINAL ORDER OF SUSPENSION



3. On March 12, 2007, the Office of Professional Practices, within OSPI, received a complaint letter from Steve Myers, the superintendent of the Toppenish 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) 181-87, by Claire Keith.

4. During the 2004-2005 school year, Claire Keith acted inappropriately to parents, students and staff by, among other actions,: 1) refusing to allow students and parents to enter the classroom prior to the start of the school day; 2) not allowing parents to visit the classroom; and 3) refusing to allow students transported by bus to enter the classroom prior to the start of school, which caused other students to be late to their respective schools.

5. On June 16, 2005, Claire Keith was issued a Letter of Reprimand for neglect of duty and mistreatment of students, staff and parents.

6. During the 2004-2005, 2005-2006 and 2006-2007 school years, Claire Keith inappropriately treated students in her preschool class to include, but not limited to, 1) yelling in students' faces, 2) grabbing students by pinning their arms to their sides to make them sit down and, 3) roughly setting them down in chairs.

7. On or about September 2006 through February 2007, Claire Keith had inappropriate contact on more than one occasion with J.G, a 5 year old special needs preschool student, to include, but not limited to: 1) Being physically forceful, 2) chasing and picking at J.G. and, 3) grabbing J.G. and dragging him by the arm.

8. On or about October 24, 2006, Claire Keith kissed Z.W., a 5 year old male student, on the forehead.

9. On November 27, 2006, Claire Keith was issued a Reprimand for Inappropriate Contact and Unprofessional Conduct by Stacey Drake, Early childhood Director, for kissing Z.W on the forehead.

10. On December 12, 2006, Claire Keith filed a grievance in response to the Letter of Reprimand she received on November 27, 2006.

11. On January 12, 2007, the grievance filed by Claire Keith on December 12, 2006, was denied.

12. In January 19, 2007, Claire Keith advanced her grievance that she originally filed on December 12, 2006, to the Superintendent's level.

13. On January 30, 2007, Superintendent Steve Myers denied the grievance filed by Claire Keith.

14. On or about mid February 2007, Claire Keith was observed roughly handling an unknown male student near the lavatory outside the preschool class, by Armando Reyes, Jr., a PIRC employee at Kirkwood Elementary. Mr. Reyes did not report the incident until a month later.

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15. On or about September 2006 through February 2007, on more than one occasion, Claire Keith had inappropriate physical contact with A.V., a 5 year old special needs male student to include, but not limited to: 1) Slapping on the back with her hand, 2) hitting on the face with a small blanket and, 3) grabbing A.V. by the pressure vest and clothing.

16. On February 23, 2007, Claire Keith was placed on Paid Administrative Leave by Stacey Drake, Early Childhood Director.

17. On February 23, 2007, Toppenish Police Department initiated an investigation regarding alleged assaults on A.V, and J.G., 5 year old special needs preschool students; Toppenish Police Department Case No. 07-1179.

18. On February 26, 2007, Claire Keith was issued a citation by Toppenish Police Department, charging her with four (4) counts of 4<sup>th</sup> Degree Assault. Three (3) counts of assault for offenses against A.V., a 5 year old male special needs student and one (1) count for offenses against J.G., a 5 year old male special needs student, RCW 9A.36.041; Citation No. C17173.

19. On March 5, 2007, Toppenish Police Department initiated an investigation regarding the incident witnessed by Armando Reyes, Jr., in mid February, 2007; Toppenish Police Report No. 07-1371. Claire Keith was not interviewed about this incident by law enforcement or school officials. The school district was not able to identify the student for OPP's investigation.

20. On March 12, 2007, Claire Keith requested a hearing with the Board of Directors regarding her grievance originally filed on December 12, 2006, and the Board declined Claire Keith's request for a meeting and /or hearing before the Board.

21. In May, 2007, Claire Keith signed a Release and Hold Harmless Agreement. On March 26, 2007, Claire Keith submitted a Letter of Resignation, effective May 30, 2007.

22. On October 15, 2008, Claire Keith signed a Statement of Defendant on Stipulation to Admissibility of Reports and Motion and Order for Stay of Proceedings in Toppenish Municipal Court: Toppenish Municipal Court Case No. C17173.

23. On October 15, 2008, Claire Keith was issued an Order Referring Defendant to Probation in Toppenish Municipal Court; Toppenish Municipal Court Case No. 17173.

24. On October 7, 2009, Claire Keith received an Order of Dismissal With Prejudice from Toppenish Municipal Court citing General Dismissal Reasons as Completion of deferred sentence, stipulated order of continuance, etc.; Toppenish Municipal Court Case No. 17173.

25. On June 17, 2010, Claire Keith participated in an interview with an OPP investigator.

26. On August 24, 2010, OPP received an emailed copy of Claire Keith's statement with revisions but, as of November 3, 2010, OPP has not received a signed copy of her statement.

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

**CONCLUSIONS OF LAW**

1. OSPI has jurisdiction over Claire Keith and over the subject matter of this action.
  
2. OSPI has shown by clear and convincing evidence that the Washington Education Certificate, No. 188417J, of Claire Keith, should be suspended as provided for in WAC 181-86-070.
  
3. Claire Keith has violated RCW 28A.410.090, WAC 181-87-060, WAC 181-86-013, WAC 181-86-014, and/or WAC 392-400-235.

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**ORDER**

THEREFORE, it is hereby ordered that the Washington Education Certificate, No. 188417J, of Claire Keith be suspended for twelve (12) months.

**Reinstatement** will require 1) successful completion of Right Response and S.E.C.U.R.E. training and (2) that Claire Keith will provide OPP with evidence of her successful completion of Right Response and S.E.C.U.R.E. training. The cost of conformance to all reinstatement requirements will be the responsibility of Claire Keith.

**AND** require submission of a new application, including Character and Fitness Supplement, provided by OPP and having Claire Keith's fingerprints be checked by both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP). Reinstatement shall also be contingent upon Claire Keith's fingerprint background check returning with no criminal convictions that are listed in WAC 181-86-013, RCW 28A.410.090, and/or any felony convictions.

DATED This 7<sup>th</sup> day of January, 2011.

RANDY I. DORN  
Superintendent of Public Instruction  
State of Washington



Martin T. Mueller  
Assistant Superintendent  
Student Support