



SUPERINTENDENT OF PUBLIC INSTRUCTION

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| IN THE MATTER OF THE EDUCATION |) | |
| CERTIFICATE OF |) | OPP No. D18-10-096 |
| |) | |
| RANDY STEBBINS |) | AGREED ORDER |
| Certificate No. 273636A |) | OF SUSPENSION |
| |) | |

After receiving and investigating a complaint from Colville School District (School District) regarding the above referenced educator, and based upon the facts available as of the date of this Agreed Order, the Superintendent of Public Instruction, through his undersigned designee, does hereby stipulate, by and between, the Office of Superintendent of Public Instruction, the Office of Professional Practices, and RANDY STEBBINS (Educator), that the Educator engaged in acts of unprofessional conduct, to include WAC 181-87-060, and that the Educator’s Washington Education Certificate No. 273636A shall be SUSPENDED for not less than TWO (2) MONTHS with conditions enumerated below, based on the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. On July 1, 1986, the Educator was issued Washington Education Certificate No. 273636A. The Educator’s certificate will expire on June 30, 2024.
2. During the 2018–2019 school year, the Educator was employed by the School District as a Junior High Language Arts teacher.

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3. On or about September 27, 2018, the Office of Professional Practices (OPP) within the Office of Superintendent of Public Instruction (OSPI) received a complaint from Pete Lewis, the Superintendent of the School District, alleging the Educator had committed unprofessional conduct pursuant to WAC 181-87 for inappropriate physical interactions with students.

4. On December 15, 2014, OPP received a complaint from Pete Lewis, the Superintendent of the School District, alleging the Educator had committed unprofessional conduct pursuant to WAC 181-87 for inappropriate physical interactions with students. On December 31, 2014, OPP initiated an investigation; OPP # D14-12-101.

5. During the first part of the 2014–2015 school year, the Educator had inappropriate physical interactions with junior-high-school-age female students.

6. During the District investigation, the Educator stated that placing a hand on a student’s shoulder was “a natural thing for me to do.” When he was asked why he acted in such a manner towards students, the Educator stated that it was to “establish caring relationships” and “it’s just who I am. Don’t even think about it.”

7. On December 11, 2014, Paul Dumas, Colville Junior High School Principal, issued the Educator a Written Reprimand and Last Chance Notice. Mr. Dumas included the following directives for the Educator:

- a. Never initiate a touch with students;
- b. If a student approaches you for a hug, execute a high five instead;
- c. If the student approaches you for a hug, very quickly turn to the side;
- d. Never touch a student on the shoulder, back, head, hair, knee, or leg – Don’t touch students; and,
- e. Do not use nicknames with students or allow students to call you by your first name.

8. On December 17, 2015, the investigation, (OPP # D14-12-101) was dismissed due, in part, to a lack of participation in the investigation by student victims and/or witnesses.

9. In September 2018, two female students reported the Educator touched them inappropriately during the 2016–2017 school year.

10. During the 2016–2017 school year, the Educator had inappropriate physical contact with at least two junior-high-age female students in the classroom and used unprofessional nicknames to refer to female students.

11. In October 2018, a former District student contacted the District to report that during her high school years, 2008–2012, the Educator had inappropriate physical contact with her.

12. From 2008–2012, the Educator had inappropriate physical contact with a high-school-age female student and fostered an inappropriate, though non-sexual, relationship with her. The Educator:

- a. Allowed the student to share aspects of her personal life with him;
- b. Had her volunteer for about eight (8) months in his elementary school classroom;
- c. Shared aspects of his personal life, such as a divorce and difficulties with his ex-wife, with the student;
- d. Messaged the student on social media; and,
- e. Occasionally exchanged hugs with female students;

13. On September 5, 2018, the Educator was placed on administrative leave.

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14. On September 13, 2018, the Educator participated in an interview with a Stevens County Sheriff's Office detective. During the interview, the Educator stated he hadn't realized the 2014 directives from Mr. Dumas extended to coaching students. In a written statement, the Educator wrote, "It is very prevalent in the coaching world for athletes and coaches to make physical contact through hugs and touches. Not understanding this administration's policies in that culture, I have at times given a quick hug or high five to kids I was coaching."

15. On September 14, 2018, the Educator signed a Retirement Agreement with the District; resigning his employment with the District effective September 17, 2018.

16. On June 30, 2019, the Superintendent received a letter from the Educator regarding the District and OPP investigations. Within the letter, the Educator states, "I think my 'failure' was in becoming too emotionally close to students at times." and, "Most students and parents very much appreciated the caring I have shown. I realize, for some, my relationships may have seemed too close or inappropriate."

17. On July 18, 2019, the Educator participated in an interview with OPP.

II. CONCLUSIONS OF LAW

1. Chapter 28A.410 RCW gives the Professional Educator Standards Board the authority to develop regulations determining eligibility for and certification of personnel employed in the common schools of the state of Washington. OSPI acts as the administrator of those statutes and regulations and has the authority to issue, reprimand, suspend, and revoke education certificates. RCW 28A.410.010; RCW 28A.410.090. Chapters 181-86 and 181-87 of the Washington Administrative Code (WAC) further implement OSPI's authority.

2. OSPI has jurisdiction over the Educator and the subject matter of this action.

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3. Pursuant to WAC 181-86-170 and WAC 181-87-060, there is clear and convincing evidence the Educator committed acts of unprofessional conduct.

4. Pursuant to WAC 181-86-080, eleven factors, at a minimum, are to be considered to determine the appropriate level and range of educator discipline:

- (1) The seriousness of the act(s) and the actual or potential harm to persons or property;
- (2) The person's criminal history including the seriousness and amount of activity;
- (3) The age and maturity level of participant(s) at the time of the activity;
- (4) The proximity or remoteness of time in which the acts occurred;
- (5) Any activity that demonstrates a disregard for health, safety or welfare;
- (6) Any activity that demonstrates a behavioral problem;
- (7) Any activity that demonstrates a lack of fitness;
- (8) Any information submitted regarding discipline imposed by any governmental or private entity as a result of acts or omissions;
- (9) Any information submitted that demonstrates aggravating or mitigating circumstances;
- (10) Any information submitted to support character and fitness; and
- (11) Any other relevant information submitted.

5. Based on the foregoing facts and considering them in light of the eleven factors enumerated in WAC 181-86-080, and in light of WAC 181-86-070, and WAC 181-87-060, the Educator's education certificate should be suspended for unprofessional conduct.

III. ORDER

THEREFORE, it is hereby ordered and agreed that the Washington Education Certificate No. 273636A of Randy Stebbins is **SUSPENDED**. The Educator may not request reinstatement of his education certificate for at least TWO (2) MONTHS from the effective date of this ORDER.

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RANDY STEBBINS
AGREED ORDER OF SUSPENSION

REINSTATEMENT of Randy Stebbins' education certificate shall require:

- (1) Completion of a MAINTAINING BOUNDARIES course, preapproved by OSPI. The Educator will provide OSPI proof of completion of the course prior to requesting reinstatement;
- (2) The Educator must submit a new application, including Character and Fitness Supplement, provided by OPP;
- (3) The Educator must complete a fingerprint-based criminal background check through both the Federal Bureau of Investigation and the Washington State Patrol;
- (4) The Educator's fingerprint background check must return with no criminal convictions, occurring after the date of issuance of a Final Order of Suspension, that are listed in WAC 181-86-013, RCW 28A.410.090, or any felony convictions; AND
- (5) The Educator shall assume all costs of complying with the requirements of this Order.

WAIVER OF RIGHT TO APPEAL

The Educator is aware that RCW 28A.410.090(3) and WAC 181-86-140 afford him the right to appeal a denial or discipline order issued by OSPI. Acknowledging this, the Educator knowingly and voluntarily waives his right to appeal by entering into this Agreed Order of Suspension.

DATED this 7th day of August, 2020.

CHRIS REYKDAL
Superintendent of Public Instruction
State of Washington

Signed: Dierk Meierbachtol
Chief Legal Officer

Stipulated to and approved
For entry:

Signed: Randy Stebbins, Respondent