



# SUPERINTENDENT OF PUBLIC INSTRUCTION

**DR. TERRY BERGESON**

OLD CAPITOL BUILDING • PO BOX 47200 • OLYMPIA WA 98504-7200

IN THE MATTER OF THE EDUCATION )  
CERTIFICATE OF ) OPP No. D96-06-087  
 )  
 ) AGREED ORDER OF  
GARY ALLEN MILLARD ) STAYED SUSPENSION  
Certificate No. 278776J )  
 )

COMES NOW The 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 suspend, with said suspension being stayed, the Washington education certificate of Gary Allen Millard for a minimum of thirty-six months from the date of entry of the Agreed Order of Stayed Suspension, based on the Findings of Fact and Conclusions of Law set forth below:

## FINDINGS OF FACT

1. Gary Allen Millard was issued Washington Education Certificate No. 278776J on August 31, 1987. That certificate currently remains valid.
  
2. Gary Allen Millard was employed as a certified teacher by the Lake Washington School District from 1987-1994.

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3. Gary Allen Millard is currently employed by the Eastmont School District as a teacher and coach.

4. On May 20, 1996, the Office of Superintendent of Public Instruction received a letter from the Superintendent of the Lake Washington School District, alleging a lack of good moral character or personal fitness, or a violation of the Code of Professional Conduct, WAC 180-87, by Gary Allen Millard.

5. Mr. Gary Allen Millard admits that he engaged in an inappropriate physical relationship with a female student during the time he was employed by the Lake Washington School District.

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

#### **CONCLUSIONS OF LAW**

1. The Office of Superintendent of Public Instruction (OSPI) has jurisdiction over Gary Allen Millard and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence that Gary Allen Millard's education certificate should be suspended as provided for in WAC 180-86-070.

3. OSPI has determined, however, that Gary Allen Millard does meet the requirements to maintain certification with stipulations.

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## ORDER

Therefore, it is hereby ordered:

That the education certificate of Gary Allen Millard be suspended for a minimum of thirty-six months, with said suspension being stayed.

Relief of stayed suspension shall be considered at the end of the thirty-six months based upon the successful completion of the following conditions:

1. Gary Allen Millard agrees to surrender all Washington educational certificate(s) to the Office of Professional Practices (OPP) should he violate any of the stipulations outlined below.
2. It is understood that such surrender will automatically cause the thirty-six (36) months suspension of his certificate(s) to take immediate effect. Mr. Gary Allen Millard will have no appeal rights on that suspension.

The waiver of appeal is only to the voluntary surrender that is the subject matter of this order. The waiver would not apply to any new disciplinary action imposed or proposed to be imposed by OPP.

3. Gary Allen Millard understands that he is expected to maintain good moral character and personal fitness in his role as an educator in the state of Washington.
4. Gary Allen Millard will have no student/teacher sexual harassment or inappropriate relationship related violations while this agreement is in effect. If Gary Allen Millard is

disciplined for any infraction in which sexual relationship/harassment is involved, he agrees to contact OPP within forty-eight (48) hours and self-report.

5. Gary Allen Millard will provide a copy of this agreement to his current employing superintendent or to his new superintendent upon initiation of employment in any other Washington public or private school district or educational service district while this agreement is in effect. He will provide OPP with verification from his supervisor that such agreement has been received by his employing superintendent or chief administrator.

6. Gary Allen Millard must keep the Office of Professional Practices informed of any changes in his address and telephone number. Gary Millard must respond in a timely manner to all requests by OPP, both by telephone and by correspondence.

7. Should Gary Allen Millard decide to pursue an education certificate in a state other than the state of Washington, he agrees that he will provide a copy of this Agreed Order of Stayed Suspension to the Department of Education in that state.

8. Gary Allen Millard understands that he is responsible for meeting these obligations and for assuring that the required documentation is sent to OPP in a timely manner. He will not be prompted to meet these obligations.

9. At the end of the thirty-six (36) month period, if his record is entirely clear, (if there have been no further violations of WAC 180-86-013/014 or 180-87, no alcohol or drug violations, or

any criminal violations), Mr. Gary Allen Millard may apply to have the suspension lifted by completing an application provided by OPP and submitting his fingerprints to both the Washington State Patrol (WSP) and the Federal Bureau of Investigation (FBI).

### **DURATION OF SUSPENSION**

The duration of the stayed suspension will be thirty-six (36) months from the date of entry of this Order.

DATED this 4 day of June, 1999.

Stipulated to and approved for entry:

DR. TERRY BERGESON  
Superintendent of Public Instruction  
State of Washington

Gary Allen Millard  
Gary Allen Millard

Kevin T. Montoya  
Kevin Montoya, Attorney

By: Michael L. Bigelow  
Michael Bigelow  
Assistant Superintendent