



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)	OPP No. D05-07-079
)	
Matthew Young)	FINAL ORDER
Certificate No. 392576E)	OF REVOCATION
)	

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 revoke the Washington Education Certificate, No. 392576E, of Matthew Young, based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. Matthew Young was issued a Washington Education Certificate, No. 392576E, on October 10, 2001. That certificate currently remains valid.

2. Matthew Young was employed by the Prosser School District.

3. On July 5, 2005, the Office of Professional Practices, within OSPI, received a complaint letter 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 Matthew Young.

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4. On June 19, 2003, Mr. Young was charged with Reckless Driving, RCW 46.61.500 misdemeanor, in Yakima County District Court; Case # 252395 WSP. On September 18, 2003, the charge was dismissed without prejudice.

5. On October 3, 2003, Mr. Young was arrested for Driving a Motor Vehicle while Under the Influence of Intoxicating Liquor and/or drugs (DUI), RCW 46.61.502; Benton County Sheriff's Office Citation #C0484109. He was booked into the Benton County Jail on the listed charge.

6. On December 17, 2003, Mr. Young pleaded guilty, in Benton County District Court, case #J484109, to driving/being in physical control of a motor vehicle while under the influence of alcohol and or drugs. Mr. Young was sentenced to: 365 days in jail with 364 suspended for five years; a \$698 fine; and total costs of \$1733.

7. On February 15, 2004, Mr. Young was arrested for Driving a Motor Vehicle while License Suspended/Revoked 3rd Degree (DWLS 3rd) in Kennewick, WA. He was issued Citation #C27535 and booked into jail; Kennewick Police Department Citation #C27535. On March 31, 2004, in Benton County District Court, Mr. Young pleaded guilty to DWLS 3rd Degree and was sentenced to: 90 days in jail with 90 days suspended for a 2-year period; a \$527.50 fine; and no violations of criminal or traffic laws or similar violations of law.

8. On April 18, 2004, Mr. Young signed an application for employment with the Prosser School District. On the application, Mr. Young answered "No" to the question of: Within the
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last seven years have you ever pleaded guilty, been convicted, fined, imprisoned or placed on probation for violation of any law, police regulation or ordinance.

9. On May 18, 2004, Mr. Young was arrested and booked for DWLS 3rd Degree in Sunnyside, WA; Sunnyside Police Department Citation #SSC62366. On May 18, 2004, Mr. Young pleaded guilty to DWLS 3rd Degree and sentencing was continued for 90 days. On August 17, 2004, the matter was dismissed.

10. On September 11, 2004, misdemeanor charges of Assault 4th Degree / Domestic Violence, and Interfering with Reporting Domestic Violence were filed against Mr. Young; Kennewick Police Department Case #KC29529. On November 17, 2004, a Stipulated Order for Continuance was entered in Benton County District Court. The Stipulated Order states that as long as Mr. Young is in compliance with the stipulations of the Order, the matter shall be continued for six months. On June 23, 2005, the matter was dismissed.

11. Mr. Young's 90-day evaluation, issued November 29, 2004, for the 2004-2005 school year was rated "Unsatisfactory". Under Effort Towards Improvement When Needed, it is noted that Mr. Young needs to improve his attendance and understand the impact on the lack of service to our students and staff at PHS.

12. From November 12, 2004 through February 2005, Mr. Young has numerous conversations and meetings with Kevin Lusk, Prosser High School Principal, regarding absenteeism from work.

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13. On March 1, 2005, Mr. Young submitted a letter of resignation to the Prosser School District, resigning his employment effective the end of the 2004-2005 school year.

14. On March 26, 2005, Mr. Young was arrested by police officers from the Kennewick Police Department. He was booked into the Benton County Jail and charged with: Violation of the Uniform Controlled Substance Act (VUCSA), possession of methamphetamine; Possession of an Illegal Firearm; and four (4) counts of Assault 3rd Degree; Kennewick Police Department Case #05-08408.

15. On March 28, 2005, an Information and Motion for Arrest/Detention (Probable Cause) was filed in Benton County Superior Court, Cause #05-1-00411-1, charging Mr. Young with: Assault 3rd Degree, RCW 9A.35.031; Unlawful Possession of a Controlled Substance, RCW 69.50.4013 (1); and Possession of a Machine Gun, Short Barreled Shotgun or Rifle, RCW 9.41.190.

16. On March 28, 2005, Mr. Young was placed on administrative leave by the Prosser School District.

17. On April 16, 2005, Mr. Young submitted a letter of resignation to the Prosser School District, resigning his employment effective April 18, 2005.

18. On June 15, 2005, Benton County Superior Court, Cause #05-1-00411-1 was dismissed without prejudice. On July 6, 2005, the Benton County Prosecuting Attorney's Office filed a Notice of Appeal to the Court Of Appeals.

19. On January 27, 2006, Mr. Young was arrested and booked into jail by a Pasco Police Officer for DWLS 3rd Degree; Pasco Police Citation #C26331. On February 7, 2006, in Pasco Municipal Court, Mr. Young pleaded guilty to DWLS 3rd Degree and was sentenced to: 90 days incarceration with 90 days suspended; \$550 total fines and court costs; one year bench supervision; and other conditions.

20. On April 24, 2006, Mr. Young was cited for DWLS 3rd Degree by a Richland Police Officer; Richland Police Department Citation #C18611. Mr. Young informed the police officer that his driver's license was suspended for failure to pay child support. On May 12, 2006, in Benton County District Court, Mr. Young pleaded guilty to DWLS 3rd Degree and was sentenced to: 90 days incarceration with 89 days suspended for a period of two years; \$809 total court costs and fines; and other conditions.

21. On September 8, 2006, Mr. Young was arrested and booked into jail by Kennewick Police Department Officers for DWLS 3rd Degree; Kennewick Police Department Citation #KC 35601. On November 16, 2006, in Benton County District Court, Mr. Young pleaded guilty to DWLS 3rd Degree and was sentenced to: 90 days incarceration with 80 days suspended for 24 months; \$666 total court costs and fines; and other conditions.

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22. On February 20, 2007, the Court of Appeals, Division Three, upheld the suppression of the search warrant and evidence relating to Mr. Young's arrest on March 26, 2005.

23. Mr. Young has not responded to requests for contact from OPP; including attempts to contact through civil service by the Benton County Sheriff's Office.

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

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Matthew Young and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence, that the Washington Education Certificate, No. 392576E, of Matthew Young, should be revoked as provided for in WAC 181-86-075.

3. Matthew Young has violated WAC 181-87-050, RCW 28A.410.090, WAC 181-86-013, and/or WAC 180-86-014.

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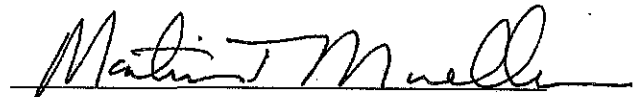
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ORDER

It has been thirty days since the Proposed Order of Revocation was received. The appeal time period has passed. It is hereby ordered that the Washington Education Certificate, No. 392576E, of Matthew Young is Revoked.

DATED This 11th day of July, 2007.

DR. TERRY BERGESON
Superintendent of Public Instruction
State of Washington



Martin T. Mueller
Assistant Superintendent
Student Support and Operations