



# SUPERINTENDENT OF PUBLIC INSTRUCTION

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|                                |   |                    |
|--------------------------------|---|--------------------|
| IN THE MATTER OF THE EDUCATION | ) |                    |
| CERTIFICATE OF                 | ) | OPP No. D18-06-067 |
|                                | ) |                    |
| DENNIS JOHNSON                 | ) | FINAL ORDER        |
| Certificate No. 427379C        | ) | OF SUSPENSION      |
| _____                          | ) |                    |

After receiving and investigating a complaint from Clover Park School District (“School District”) regarding the above referenced educator, and based upon the facts available as of the date of this Proposed Order, the Superintendent of Public Instruction, through his undersigned designee, institutes this proceeding and finds, as described below, that DENNIS JOHNSON (“Educator”) engaged in acts of unprofessional conduct to include WAC 181-87-060, and does hereby SUSPEND the Educator’s Washington Education Certificate No. 427379C for not less than 60 DAYS with conditions enumerated below, based on the following Findings of Fact and Conclusions of Law:

## I. FINDINGS OF FACT

1. On July 1, 2005, the Educator was issued Washington Education Certificate No. 427379C. The Educator’s certificate will expire on June 30, 2022.
2. During the 2017–2018 school year, the Educator was employed by the School District at Hudtloff Middle School as a Language Arts teacher.
3. On June 12, 2018, the Office of Professional Practices (“OPP”) within the Office of Superintendent of Public Instruction (“OSPI”) received a complaint from Deborah L. LeBeau, the Superintendent of the School District, alleging the Educator has committed unprofessional conduct pursuant to WAC 181-87-060.

4. On January 22, 2016, the Educator received a Letter of Reprimand for “swatting” a student with a meter stick. The Educator admitted he acted out of anger and that he reacted in the moment. As part of this reprimand, the Educator was required to complete SafeSchools “Disruptive Student Behavior” training, and schedule an appointment to meet with the school principal to review what the Educator learned from the training and explain how the Educator plans to incorporate what he learned into his teaching.

5. On May 12, 2017, the Educator received a second Letter of Reprimand for grabbing a student’s arm to take the student’s cell phone away. As part of this reprimand, the Educator was required to retake SafeSchools “Disruptive Student Behavior” training and was encouraged by the School District to seek anger management counseling. In addition, the Educator was required to participate in a book study for “Discipline in the Secondary Classroom” and incorporate CHAMPS with fidelity into his practice.

6. In January 2018, the Educator received a third Letter of Reprimand, this time for slamming a clipboard down so hard it broke and using profanity towards students. As part of this reprimand, the Educator was directed to seek anger management counseling.

7. On May 24, 2018, the Educator was placed on Administrative Leave with Pay pending an investigation into allegations he became aggressive with a student.

8. On June 4, 2018, the Educator signed a Last Chance Agreement with the School District. The agreement required the Educator to complete an anger management evaluation and comply with any prescribed treatment.

9. On January 18, 2019, the Educator was placed on Administrative Leave pending an investigation into allegations the Educator yelled and threw candy canes at students.

10. On February 1, 2019, the Educator entered into a Settlement Agreement and submitted his retirement effective August 18, 2019.



## 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.
3. There is clear and convincing evidence the Educator committed acts of unprofessional conduct pursuant to WAC 181-87-060(1) and WAC 181-86-170.
4. There is clear and convincing evidence the Educator has a behavioral problem that endangers the educational welfare or personal safety of students within the educational setting pursuant to WAC 181-86-170 and WAC 181-86-013(3).
5. 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.

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11. 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, WAC 181-86-170, and WAC 181-87-060, the Educator's education certificate should be suspended for unprofessional conduct.

**III. ORDER**

THEREFORE, it is hereby ordered that the Washington Education Certificate No. 427379C of DENNIS JOHNSON is **SUSPENDED**. The Educator may not request reinstatement of his education certificate for at least SIXTY (60) DAYS from the effective date of this ORDER.

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**REINSTATEMENT** of the Educator's education certificate shall require:

- (1) The Educator must successfully complete a CLASSROOM MANAGEMENT course, preapproved by OSPI. The Educator will provide proof of completion of the course prior to requesting reinstatement;
- (2) The Educator must successfully complete an ANGER MANAGEMENT evaluation and provide proof of completion and compliance with any and all recommended treatment;
- (3) The Educator shall sign a consent allowing the anger management evaluator to provide OPP a summary of the Educator's treatment and the results of his evaluation;
- (4) The Educator must submit a new application, including Character and Fitness Supplement, provided by OPP;
- (5) The Educator must complete a fingerprint-based criminal background check through both the Federal Bureau of Investigation and the Washington State Patrol;
- (6) 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
- (7) The Educator shall assume all costs of complying with the requirements of this Order.

DATED this 16<sup>th</sup> day of March, 2020.

CHRIS REYKDAL  
Superintendent of Public Instruction  
State of Washington

  
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Dierk Meierbachtol  
Chief Legal Officer