



SUPERINTENDENT OF PUBLIC INSTRUCTION

Chris Reykdal Old Capitol Building · PO BOX 47200 · Olympia, WA 98504-7200 · <http://www.k12.wa.us>

RE: Julie Johnson
OSPI Case Number: D16-06-036
Document: Suspension

Regarding your request for information about the above-named educator; attached is a true and correct copy of the document on file with the State of Washington, Office of Superintendent of Public Instruction, Office of Professional Practices. These records are considered certified by the Office of Superintendent of Public Instruction.

Certain information may have been redacted pursuant to Washington state laws. While those laws require that most records be disclosed on request, they also state that certain information should not be disclosed.

The following information has been withheld: **None**

If you have any questions or need additional information regarding the information that was redacted, if any, please contact:

OSPI Public Records Office
P.O. Box 47200
Olympia, WA 98504-7200
Phone: (360) 725-6372
Email: PublicRecordsRequest@k12.wa.us

You may appeal the decision to withhold or redact any information by writing to the Superintendent of Public Instruction, OSPI P.O. Box 47200, Olympia, WA 98504-7200.



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IN THE MATTER OF THE EDUCATION)	
CERTIFICATE OF)	OPP No. D16-06-036
)	
JULIE JOHNSON)	AGREED ORDER
Certificate No. 242419J)	OF SUSPENSION
)	

After receiving and investigating a complaint from Soap Lake 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 JULIE JOHNSON (“the Educator”), that the Washington Education Certificate No. 242419J, 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 August 22, 1980, the Educator was issued Teacher Certificate No. 242419J. The Educator’s Teacher Certificate will expire on June 30, 2020. The Educator was issued a Substitute Teacher Certificate on July 14, 2015, with no expiration date.
2. During the time period of the allegations, the Educator was employed by the Soap Lake School District as a kindergarten teacher at Soap Lake Elementary School, where she will remain employed and on paid administrative leave until her resignation effective date of June 14, 2017.
3. The Educator has had no previous disciplinary action through the Office of Professional Practices (OPP).

4. On or about June 1, 2016, OPP, which is within the Office of Superintendent of Public Instruction, received a complaint letter from Mr. Dan McDonald, the Superintendent of Soap Lake School District, alleging the Educator committed an act or acts of unprofessional conduct in violation of the Code of Professional Conduct, Washington Administrative Code (WAC) 181-87-060.

5. On or about September 11, 2015, Ms. Sunshine Rutherford-Pray, Principal of Soap Lake Elementary School, was doing a walkthrough in the elementary school and she overheard yelling coming from the Educator's classroom. Ms. Rutherford-Pray walked into the classroom and observed the Educator loudly tell a student to sit and she observed the Educator physically redirect the student to a sitting position on the floor. However, Ms. Rutherford-Pray did not determine that this action required an immediate response and did not communicate any concerns to the Educator until later the following week.

6. On or about September 15, 2015, third grade teacher Sharmon McCart stepped out of her classroom into the hall and saw the Educator bent down in front of Student A. The Educator had observed Student A striking another student, so the Educator prevented further injury by holding Student A by both arms and telling Student A, "I told you to stop punching." Then the Educator lightly tapped Student A on the shoulder. Ms. McCart did not communicate any concerns to the Educator at that time. However, Ms. McCart later reported the event to Ms. Rutherford-Pray.

7. The Educator was placed on paid administrative leave on September 15, 2015 pending an investigation.

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8. On or about October 13, 2015, at the conclusion of a thorough investigation by an outside investigation firm, the Educator received a reprimand letter instructing her to take a class titled, "Communications in Schools" from Clear Risk Solutions. She was allowed to return to the classroom on October 14, 2015. However, the Superintendent did not make a complaint to OPP at that time.

9. On or about October 26, 2015, the Educator completed the mandated training from Clear Risk Solutions, taught by Pat Flannery. This training focused on "best practices" for classroom management.

10. On or about May 18, 2016, as the kindergarten class was lining up to exit the classroom at the end of the school day, Student A was sitting in a chair near the whiteboard. The Educator instructed the class, including Student A, to get up and stand in line. Student A refused. The Educator held Student A's arm and physically redirected her to a standing position and told her that she needed to go and sit in her own desk with her head down. Student A again refused and walked away from the Educator. The Educator followed Student A, and again held her arm and physically redirected her into her chair. The Educator prevented Student A from getting up from her desk. After the Educator's exercise of disciplinary authority, Student A calmed down and the Educator held her hand and walked her to the bus. Billie Zerb, a paraprofessional also assigned to the classroom, went to Ms. Rutherford-Pray and complained about the Educator's handling of that situation.

11. On or about May 19, 2016, the Educator was placed on paid administrative leave, pending an investigation into the May 18 incident. The Superintendent reported allegations against the Educator to the Soap Lake Police Department.

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12. The Soap Lake Police Department (SLPD) conducted an investigation based on the May 18 incident. SLPD interviewed Student A and Ms. Zerb. The officers found Student A's and descriptions of events to be inconsistent and she lacked credibility. When asked by one of the investigating officers whether the Educator had violated any District policy involving disciplining defiant students, Ms. Rutherford-Pray responded that she was not sure whether the District had such a policy, and she would be required to perform additional research to find out.

13. On May 23, 2016, after the Superintendent was informed of the Prosecutor's decision not to file any charges after conducting a full investigation into the allegations, the Superintendent elected at that point to bring the identical complaints to OPP. On or about July 26, 2016, the Prosecutor's office formally declined to file any charges.

14. On or about November 15, 2016, the Educator and Soap Lake School District entered into a Resignation and Release Agreement, allowing the Educator to voluntarily resign. The terms of the agreement allowed the Educator to remain on paid administrative leave until the conclusion of the 2016–2017 school year.

15. On or about November 15, 2016, the Educator submitted a written resignation to Soap Lake School District, effective June 14, 2017.

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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.410.090, RCW 28A.410.010, and WAC 181-86 and WAC 181-87 further implement OPSI's authority.
2. OSPI has jurisdiction over the Educator and the subject matter of this action.
3. The Educator committed acts of unprofessional conduct pursuant to WAC 181-87-060(1) when she used inappropriate physical redirection with two students in her kindergarten class on three separate occasions.
4. There is clear and convincing evidence that the Educator committed acts of unprofessional conduct pursuant to WAC 181-86-170.
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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6. 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(1), the Educator's education certificate should be suspended for unprofessional conduct.

III. ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate, No. 242419J, of JULIE JOHNSON is **SUSPENDED**. The Educator may not request reinstatement of her education certificate for at least two (2) months from the effective date of this ORDER.

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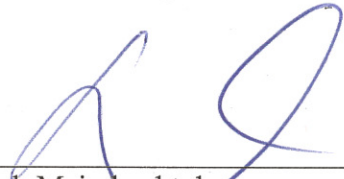
REINSTATEMENT of Julie Johnson's education certificate shall require:

- (1) In addition to any mandatory continuing education, the Educator must successfully complete an in-person CLASSROOM MANAGEMENT course, preapproved by OSPI. The Educator will provide OSPI proof of completion of the course prior to requesting reinstatement;
- (2) The Educator must undergo an evaluation by a mutually agreed upon mental health professional limited to the information required to determine whether the Educator is safe to be with children in an unsupervised capacity;
- (3) The Educator must submit a new application, including a Character and Fitness Supplement application, provided by OPP;
- (4) The Educator must complete a fingerprint-based criminal background check through both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP);
- (5) The Educator's fingerprint background check must return with no criminal convictions, occurring after the date of issuance of a Final Order or Suspension, that are listed in WAC 181-86-013, RCW 28A.410.090, or any felony convictions;
- (6) The Educator shall assume all costs of complying with the requirements of this Order.

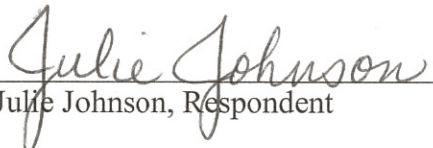
DATED this 13th day of June, 2017.

CHRIS REYKDAL
Superintendent of Public Instruction
State of Washington

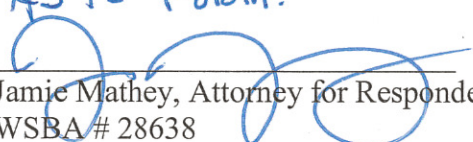
Stipulated to and approved
For entry:



Dierk Meierbachtol
Chief Legal Officer
Office of Superintendent of Public Instruction



Julie Johnson, Respondent

AS TO FORM:


Jamie Mathey, Attorney for Respondent
WSBA # 28638