

I, Maggie Pagan certify that on December 17, 2007, I mailed a copy of this document, certified & postage prepaid, to all parties or their counsel of record. I certify under penalty of perjury, under the laws of the state of Washington, that the foregoing is true and correct.

IN THE MATTER OF THE EDUCATION)
CERTIFICATE OF)
JOHN BALL)
CERTIFICATE NO. 129041J)
_____)

OPP No. D06-10-072

FINAL ORDER OF
REVOCATION

COMES NOW Arlene Hett, Review Officer of the Office of Superintendent of Public Instruction (OSPI), having reviewed the files of the above-referenced case, and having considered the arguments of each party and the recommendation of the Admissions and Professional Conduct Advisory Committee, does hereby order that the Washington Education Certificate, No. 129041J, of John Ball be revoked based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. John Ball was issued a Washington Education Certificate, No. 129041J, on June 12, 1964. That certificate currently remains valid.
2. John Ball was employed by the Wahluke School District.
3. On September 28, 2006, 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 John Ball.
4. On August 8, 2000, a Benton County Sheriff's Office deputy sheriff filed a "Suspicious Circumstances" report stating that for the past two years, Mr. Ball has been writing about his

sexual desires on the bathroom wall of the Vernita Rest Area. There is no statement from Mr. Ball with the report and no charges were filed; Benton County Sheriff's Office report #00-10230.

5. On July 15, 2005, Mr. Ball, at the Plymouth campground, exposed his genitals and, while seated at a picnic table, touched his genitals in a manner that appeared as if he was masturbating. Benton County Sheriff's Office investigated the incident; Benton County Sheriff's Office report #05-09226.

6. On May 9, 2006, an Information and Motion for Arrest/Detention (Probable Cause) was filed in Benton County Superior Court charging Mr. Ball with the misdemeanor crime of Indecent Exposure, Revised Code of Washington (RCW) 9A.88.010(1); Benton County Superior Court Cause #06-1-00649-0.

7. On June 8, 2006, Mr. Ball was placed on administrative leave by Gary Greene, Superintendent of the Wahluke School District.

8. On September 19, 2006, Mr. Ball was issued a letter RE: Notice of Probable Cause for Discharge.

9. On September 22, 2006, Mr. Ball filed an appeal for the Notice of Probable Cause for Discharge.

10. On October 4, 2006, an Amended Information, for Cause #06-1-00649-0, was filed in Benton County Superior Court charging Mr. Ball with the misdemeanor crime of Disorderly Conduct, RCW 9A.84.030.

11. On October 4, 2006, Mr. Ball signed a Statement of Defendant on Plea of Guilty to non-Sex Offense in Benton County Superior Court and pleaded guilty to Disorderly Conduct; Benton County Superior Court Cause #06-1-00649-0.
12. On October 4, 2006, Mr. Ball was found guilty, by plea, of Disorderly Conduct and sentenced to: 90 days incarceration with 90 days suspended; \$715 for victim assessment, court costs, and booking fee; and the Court retained jurisdiction over the defendant for a period of two (2) years.
13. On December 20, 2006, Mr. Ball accepted a Settlement and Release Agreement with the Wahluke School District and resigned his employment, effective December 20, 2006.
14. An interview was conducted with Mr. Ball by an OPP investigator on May 15, 2007.
15. Good moral character and personal fitness is a continuing requirement to maintain a Washington Education Certificate.

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over John Ball and over the subject matter of this action.
2. OSPI has shown by clear and convincing evidence, that the Washington Education Certificate, No. 129041J, of John Ball, should be revoked as provided for in WAC 181-86-075.
3. John Ball has violated RCW 28A.410.090, WAC 181-86-013, and/or WAC 181-86-014.

ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate, No. 129041J, of John Ball be revoked.

This Order will become final thirty (30) calendar days from the date of receipt of this order unless respondent files an appeal for a formal hearing before the Office of Administrative Hearings. Please direct the appeal and request for formal hearing to Office of Superintendent of Public Instruction, Administrative Law Office, Old Capitol Building, P.O. Box 47200, Olympia, WA 98504-7200.

DATED this 17th day of December, 2007.

DR. TERRY BERGESON
Superintendent of Public Instruction
State of Washington



DR. ARLENE HETT
Review Officer