



SUPERINTENDENT OF PUBLIC INSTRUCTION

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

RE: Gordon Unruh
OSPI Case Number: D15-06-053
Document: Final Order of 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. D15-06-053
)	
GORDON UNRUH)	FINAL ORDER
Certificate No. 218540C)	OF SUSPENSION
)	

After receiving and investigating a complaint from Puyallup 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 GORDON UNRUH (“the Educator”) engaged in acts of unprofessional conduct to include WAC 181-87-060(1), and does hereby suspend the Educator’s Washington Education Certificate No. 218540C for not less than six (6) months with conditions enumerated below, based on the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. On September 28, 1976, the Educator was issued Teacher Certificate, No. 218540C. The Educator’s Teacher Certificate does not have an expiration date.
2. During the time period of the allegation, the Educator was employed by the Puyallup School District as a special education teacher at Gov. John R. Rogers High School, where he remained employed until his retirement on April 30, 2016.
3. The Educator has had no previous disciplinary action through the Office of Professional Practices.

4. On or about June 3, 2015, the Office of Professional Practices, within OSPI, received a complaint letter from the Superintendent of Puyallup School District alleging flagrant disregard or clear abandonment of generally recognized professional standards, or a violation of the Code of Professional Conduct, Washington Administrative Code (WAC) 181-87-060, by the Educator.

5. During the 2014-2015 academic year, Student A was a senior and a peer tutor in the Educator's special education classroom at Gov. John R. Rogers High School. Student A's role as a peer tutor was to interact with the students in the Educator's classroom.

6. Student A sent the Educator the first of several text messages on the Educator's personal cell phone prior to winter break of the 2014-2015 academic school year. Student A asked the Educator if she could bring snacks for the class. This message exchange had a clear educational purpose.

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7. Text message and voice telephone calls escalated between the Educator and Student, and for at least during the month of December 2014, the Educator exchanged over 400 personal text messages and approximately 80 voice telephone calls with Student A. The majority of the text messages and voice phone calls were with regard to both the Educator's and Student A's personal lives and not related to a legitimate educational purpose. A few examples of the topics of conversation between the Educator and Student A are as follows:

a. The Educator and Student A discussed Student A's former drug dependence in comparison with the Educator's son's former drug dependence.

b. The Educator and Student A discussed meeting at a waterfront location, but the Educator and Student A did not meet outside of the classroom.

c. The Educator discussed introducing his daughter to Student A. The Educator's daughter was a nursing student and Student A had an interest in pursuing a nursing career.

8. On or about December 29, 2014, Student A's mother discovered that Student A and the Educator had been extensively communicating. Student A's mother sent a message to the Educator, and she asked the Educator to contact her.

9. On or about December 30, 2014, the Educator contacted the Principal of Gov. John R. Rogers High School and informed him, "A couple texts were flirtatious. I let myself get caught up in what she was saying."

10. On or about December 30, 2014, the Educator called Student A's mother and had a brief conversation with her, stating that he had never communicated with students without a clear educational purpose prior to this situation.

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11. The Educator disclosed printouts of text messages that were sent from Student A from December 13, 2014, through December 29, 2014, to the Principal at Gov. John R. Rogers High School. The Educator's cell phone was an older flip phone model. This phone did not store any of the text messages that the Educator sent and only had records of the messages received from Student A. The Educator admitted to deleting some of the messages from Student A to free up storage space on his cell phone.

12. The Educator admitted to corresponding with Student A from December 13, 2014, through December 29, 2014, by text message and voice phone call. The communication with the student served no legitimate educational purpose.

13. On or about January 5, 2015, the Educator was placed on paid administrative leave during the investigation into the allegations by the school district.

14. On or about November 23, 2015, the Educator signed an agreement to remain on paid administrative leave until his retirement from his position with the Puyallup School District, effective April 30, 2016.

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 he exchanged over 400 text messages and approximately 80 voice telephone calls with Student A. The text messages and voice telephone calls did not have a legitimate educational purpose and, instead, contained information regarding the Educator's and Student A's personal lives.

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.

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.

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III. ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate, No. 218540C, of GORDON UNRUH is **SUSPENDED**. The Educator may not request reinstatement of his education certificate for at least six (6) months from the effective date of this ORDER.

REINSTATEMENT of Gordon Unruh's education certificate shall require:

- (1) In addition to any mandatory continuing education, the Educator must successfully complete an in-person EDUCATOR BOUNDARIES 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 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, 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 30th day of March, 2017.

CHRIS REYKDAL
Superintendent of Public Instruction
State of Washington

Signed: Dierk Meierbachtol
Chief Legal Officer