



SUPERINTENDENT OF PUBLIC INSTRUCTION

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

RE: Steven Walker
OSPI Case Number: D15-11-097
Document: Agreed 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. D15-11-097
)	
STEVEN WALKER)	AGREED ORDER
Certificate No. 340776D)	OF SUSPENSION
_____)	

After receiving and investigating a complaint from Highline 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 STEVEN WALKER (“the Educator”), that the Washington Education Certificate No. 340776D, 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 September 6, 1995, the Educator was issued an Initial Teacher Certificate, No. 340776D. The Teacher Certificate expires on June 30, 2019.
2. At or about the 1997-1998 school year, the Educator was hired by the Highline School District as an elementary school band instructor. As part of his duties, the Educator travels to several of the elementary schools within the district, where he remains employed.

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STEVEN WALKER
AGREED ORDER OF SUSPENSION

3. On October 22, 2015, the Office of Professional Practices, within OSPI, received a complaint letter from the Superintendent of Highline School District.

a. The first allegation is the Educator had inappropriate interactions with a student. This allegation constitutes a violation of the Code of Professional Conduct under flagrant disregard or clear abandonment of generally recognized professional standards Washington Administrative Code (WAC) 181-87-060(1).

b. The second allegation is the Educator used portions of school time and resources to give private lessons for profit. This action is a violation of the Code of Professional Conduct under improper remunerative conduct, WAC 181-87-090.

4. During the 2012-2013 school year, the Educator taught Student A sixth grade band. In January 2014, he asked Student A if she would be interested in taking private saxophone lessons with him, as Student A was considering re-joining band and may need some assistance getting back up to speed.

5. The Educator gave private music lessons to Student A from approximately January 2014 through June 2014, and then from January 2015 through June 2015. The cost of the lessons ranged from around \$15-\$20 per lesson, depending on the length of the lesson. Lessons typically lasted for about thirty (30) minutes to one hour. The lessons took place at Cedarhurst Elementary School after school hours. Generally, the Educator would have Student A begin warming up while he finished up his tasks for the day, and then the Educator would start the lesson after he completed his work day. The lessons at times, however, started prior to 3:40 pm. The Educator was contractually obligated to work for the school district until 3:40 pm each day.

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6. The Educator brought Student A pizza both during her lunch period as well as on occasion during the private lessons as a reward for her accomplishments achieved during the lessons. In addition, on Student A's birthday, the Educator bought her a gift of an M&M figurine playing a saxophone. The Educator also instructed Student A to do sit-ups during their private lessons while he held her feet, for purposes of improving Student A's breath control and sound. The Educator at times took short videos and pictures of Student A during the lessons, for the purpose of making the student aware of the student's posture and to use as an instructional aid to help Student A improve her technique.

7. On or about July 27, 2015, Student A's mother made a report to the Highline School District's ombudsman regarding the Educator's behavior. She stated that Student A was feeling uncomfortable with the Educator's private lessons because the Educator was taking pictures and video of Student A.

8. On or about July 27, 2015, the Educator was placed on paid administrative leave pending an investigation into allegations of acting inappropriately with a student.

9. On or about September 10, 2015, after the completion of an investigation conducted by Highline School District, a decision letter was mailed to the Educator. The letter notified the Educator that probable cause existed to place the Educator on suspension for ten (10) working days without pay. The investigation concluded that the Educator engaged in improper remunerative conduct, and he also violated School District policy 5253 regarding maintaining professional staff/student boundaries.

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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 he inappropriately became close to a student during private music lessons.
4. The Educator committed acts of unprofessional conduct pursuant to WAC 181-87-090 when he used portions of school time and resources to give private lessons for profit.
5. There is clear and convincing evidence that the Educator committed acts of unprofessional conduct pursuant to WAC 181-86-170(2).

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6. 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.

7. 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(2), WAC 181-87-060(1), and WAC 181-87-090 the Educator's education certificate should be suspended for unprofessional conduct.

III. ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate, No. 340776D, of STEVEN WALKER is **SUSPENDED**. The Office of Professional Practices agrees to delay the suspension action until June 19, 2017 to allow the Educator to complete his teaching contract for the 2016-2017 school year. The Educator may not request reinstatement of his education certificate for at least (2) months from June 19, 2017, which would be on or about August 20, 2017.

REINSTATEMENT of Steven Walker's education certificate shall require:

- (1) 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;
- (2) The Educator must submit a new application, including a Character and Fitness Supplement, provided by OPP;
- (3) The Educator must complete a fingerprint based criminal background check through both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP);
- (4) 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;
- (5) The Educator must show that he meets all academic requirements for renewal/reinstatement of the education certificate;
- (6) The Educator shall assume all costs of complying with the requirements of this Order.

DATED This 31st day of March, 2017.

CHRIS REYKDAL
Superintendent of Public Instruction
State of Washington

Stipulated to and approved
For entry:

Signed: Dierk Meierbachtol
Chief Legal Officer
Office of the Superintendent of Public Instruction

Signed: Steven Walker, Respondent

Signed: Sharon English, Attorney for Respondent
WSBA # 37652