



# SUPERINTENDENT OF PUBLIC INSTRUCTION

RANDY I. DORN OLD CAPITOL BUILDING • PO BOX 47200 • OLYMPIA WA 98504-7200 • <http://www.k12.wa.us>

IN THE MATTER OF THE EDUCATION	)	
CERTIFICATE OF	)	OPP No. D10-03-016
	)	
CAROL BRAUNS	)	FINAL ORDER
Certificate No. 150360F	)	OF SUSPENSION
	)	

COMES NOW the Office of Superintendent of Public Instruction (OSPI), under the authority granted by the laws of the state of Washington, having reviewed the file of the above-referenced case, and having considered the entire evidence contained therein, does hereby suspend the Washington Education Certificate No. 150360F, of Carol Brauns for twelve (12) months based on the Findings of Fact and Conclusions of Law set forth below:

### FINDINGS OF FACT

1. Carol Brauns was issued a Washington Education Certificate, No. 150360F, on June 10, 1967 That certificate currently remains valid.
2. Carol Brauns was employed by the Evergreen Public Schools.
3. On March 11, 2010, the Office of Professional Practices, within OSPI, received a complaint letter from John Deeder, the superintendent of Evergreen Public Schools, 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 Carol Brauns.

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4. On October 8, 2005, Vinh Nguyen, principal of Orchard Elementary School, met with Carol Brauns about issues of yelling at students.

5. On November 14, 2005, Principal Nguyen issued a verbal warning to Carol Brauns for yelling at students at different times on November 7, 2005.

6. From May 22, 2006 to, and including, June 14, 2006, Carol Brauns had several incidents of inappropriate behavior to include, but not limited, to yelling at students and conflicts with various staff; including yelling at staff in a threatening manner.

7. On June 2, 2006, Principal Vinh Nguyen contacted Carol Brauns in her classroom to discuss a staff conflict that had just occurred between Carol Brauns and other staff. Vinh Nguyen was invited by Carol Brauns to accompany her to her vehicle stating they could talk while she retrieved her lesson plan. As Vinh Nguyen discussed the conflict Carol Brauns became verbally confrontational to her by getting close to Vinh Nguyen's face and commenting, "How could you sleep at night when I have been supporting you all these year (sic)? How could you even sleep at night?" Carol Brauns pointed her finger in Vinh Nguyen's face and said loudly, "You are going to talk to my lawyer". Back in the classroom with children present, Carol Brauns was still upset and was again escalating, so Vinh Nguyen told her to leave the building; Carol Brauns complied.

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8. On August 22, 2006, Carol Brauns was issued a Written Reprimand by Personnel Manager Russ Roseberry, for incidents that occurred between May 22, 2006 and June 14, 2006. In the Written Reprimand, Mr. Roseberry wrote, "It is strongly encouraged that you obtain an assessment for anger and attend anger and attend anger management counseling".

9. On May 21, 2008, Carol Brauns yelled at C.C., a female kindergarten student, while she was sitting on the ground waiting to board the bus. After C.C. boarded the bus, Carol Brauns boarded the bus and reached over a row of students to grab C.C. by the face, squeezing C.C.'s jaw. Carol Brauns then yelled in C.C.'s face while poking her in the forehead with her finger 4-5 times and grabbed papers from C.C.'s hands.

10. On June 16, 2008, Carol Brauns was issued a Written Reprimand by Principal Vinh Nguyen for the incident with C.C.

11. On April 25, 2008, Principal Vinh Nguyen issued Carol Brauns a Summary of Investigation regarding (1) a parent complaint about Carol Brauns yelling in the parent's daughter's kindergarten class and (2) the secretary reported that Mrs. Brauns called the office to send someone to assist her because two students were fighting and she wasn't going to intervene. Vinh Nguyen noted there would be no disciplinary action but listed the following expectations about use of voice volume and/or tone, expression of demeanor, and necessity of taking prompt action to protect students.

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12. On March 18, 2009, Carol Brauns grabbed and pulled X.S., a male kindergarten student, by his right upper arm to move him to the time-out area, causing a bruise.

13. On March 25, 2009, Carol Brauns received a Two-Day Suspension from John Deeder, Superintendent of Evergreen Public Schools, for the inappropriate physical disciplinary contact with X.S.

14. For the 2008-2009 school year evaluation, Carol Brauns overall annual evaluation was rated as "Proficient". Under the section "Managing Student Behavior", Carol Brauns received an "Unsatisfactory" with the comments of, "In general, Mrs. Brauns is aware of her need to clarify her expectations for all students as well as responding to specific students' misbehavior with respect and fairness. Unfortunately, regrettable incidents have occurred this year when at times students have perceived Mrs. Brauns reacting aggressively to misbehaving situations in class and feel unsafe or frightened."

15. On January 22, 2010, Carol Brauns, in attempt to quiet an upset and crying female special needs kindergarten student, M.D., grabbed M.D. by the arm, then placed one of her hands on the top of M.D.'s head and the other under M.D.'s chin, forcing M.D.'s mouth closed.

16. On March 2, 2010, Carol Brauns received a Letter of Termination from Evergreen Public Schools. The Letter of Termination was issued by Superintendent John Deeder on February 25, 2010.

17. On April 19, 2010, Carol Brauns entered into a Settlement Agreement with Evergreen Public Schools, effective August 31, 2010.

18. On March 14, 2012, Carol Brauns spoke with an OPP investigator and provided her explanation of events. As of April 4, 2012, Carol Brauns has not provided OPP with a signed statement.

19. Good moral character and personal fitness is a continuing requirement to maintain a Washington Education Certificate.

### **CONCLUSIONS OF LAW**

1. OSPI has jurisdiction over Carol Brauns and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence that the Washington Education Certificate, No. 150360F, of Carol Brauns, should be suspended as provided for in WAC 181-86-070.

3. Carol Brauns has violated: RCW 28A.410.090, WAC 181-87-060, WAC 392-400-235, WAC 181-86-013 and/or WAC 181-86-014.

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ORDER

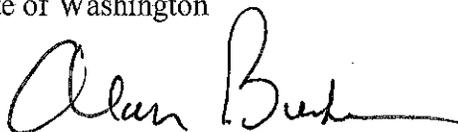
THEREFORE, it is hereby ordered that the Washington Education Certificate, No. 150360F, of Carol Brauns be suspended for twelve (12) months.

Reinstatement will require successful completion of: (1) successful completion of an anger management course, by a treatment provider mutually agreed upon by the Office of Professional Practices (OPP) and Carol Brauns; (2) that Carol Brauns follows and completes any and all treatment recommended in the anger management course; (3) that Carol Brauns signs a release authorizing OPP to provide all records to the mutually agreed upon treatment provider prior to an evaluation being conducted; (4) that Carol Brauns provides a release authorizing OPP to have access to records of any and all subsequent treatment undertaken; and (5) that the cost of conformance to all reinstatement requirements will be the responsibility of Carol Brauns.

**AND** Reinstatement shall (also) require submission of a new application, including Character and Fitness Supplement, provided by OPP and having Carol Brauns' fingerprints be checked by both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP). Reinstatement shall also be contingent upon Carol Brauns' fingerprint background check returning with no criminal convictions that are listed in WAC 181-86-013, RCW 28A.410.090, and/or any felony convictions

DATED This 27 day of June, 2012.

RANDY I. DORN  
Superintendent of Public Instruction  
State of Washington



Alan Burke, Ed. D  
Deputy Superintendent  
K-12 Education