



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. D12-03-013
)	
MAIKA SAGE)	FINAL ORDER
Certificate No. 389879H)	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. 389879H, of Maika Sage for twenty four (24) months based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. Maika Sage was issued a Washington Education Certificate, No. 389879H, on August 1, 2001. That certificate currently remains valid.
2. Maika Sage was employed by the Tacoma School District.
3. On January 20, 2012, the Office of Professional Practices, within OSPI, received a complaint letter from the superintendent of the Tacoma School District 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 Maika Sage.

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4. In December, 2008, Maika Sage used a student's cell phone to contact another student who was absent from school. On January 16, 2009, Maika Sage received a Letter of Direction from LuAnn Kucklick, Lincoln High School Co-Principal, in which she was directed to use a school phone for communication, to contact the parent if there are concerns and to cease calling student on their personal cell phones.

5. Tacoma School District Policy 5010 Employee Conduct Rules states, among other things, that an employee shall not: #6. Endanger, negligently or intentionally, the safety of oneself or another person; #11. Violate any rule, regulation or statute or other legal enactment applicable to the employee; #13. Fail to perform any responsibilities lawfully imposed upon the employee or fail to follow any lawful directives issued to the employee; and #14 Be tardy.

6. During the 2010-2011 school year, Maika Sage, on several occasions: reported to work after her contracted start time; left students unattended in the classroom; and left the school building without notifying administration. Maika Sage's absences resulted in students being left unsupervised on multiple occasions.

7. On February 28, 2011, Patrick Erwin, Lincoln High School Co-Principal, received a report that Maika Sage left her student assistant and another student alone in Makai Sage's classroom during her 4th period planning time. The student reported that this had happened before and has caused her to be tardy to her 5th period class because Maika Sage had directed her to stay there to let students in the room if she was not back in time.

8. On March 4, 2011, Maika Sage attended a district meeting regarding her leaving students unattended on February 28, 2011. Maika Sage indicated to the district that she had a medical emergency and needed to leave school but failed to notify an administrator or sign out at the office. Maika Sage agreed to submit a medical report to the school regarding her absence. This information was not provided to the school district after repeated requests.

9. During the 2010-2011 school year, Maika Sage failed to assess student's work and report such grades in a timely manner.

10. During the 2010-2011 school year, the district received an anonymous letter from a student assigned to Maika Sage's first period class expressing concerns about Maika Sage. The student listed concerns about Maika Sage showing up late for class; losing student work and counting it as missing; failing to counting student work at all; failing to upload grades online; not giving the first period students the same level of work as other classes; leaving the class unattended for 10-20 minutes at a time; and losing student folders with all the work then blaming the students for it.

11. Tacoma School District Regulation 2020R Section V Use of Supplemental and Temporary Instructional Materials Subsection C states: 'Staff are not to show any video or electronic media content with a PG-13 or R rating without parental notification, in addition to the approval of the principal as set forth above.'

12. On April 28, 2011, Gregory Eisnaugle, Lincoln High School Co-Principal, found students standing outside of Maika Sage's classroom after the official school start time. Mr. Eisnaugle also found that students were scheduled to continue watching an 'R' rated video/movie. Maika Sage failed secure parental permission slips prior to showing the video/movie.

13. On May 10, 2011, Maika Sage was issued a notification of suspension without pay for three (3) days for multiple instances of leaving students unattended, being tardy to building meetings class and school.

14. On May 11, 2011, the Tacoma Fire Department reported to Lincoln High School to assist with Maika Sage; who was displaying emotional behaviors requiring emergency medical assistance.

15. On May 12, 2011, Maika Sage received a letter from Arthur Jarvis, Tacoma School District Superintendent, placing her on paid administrative leave pending a validation of fitness for duty as a classroom teacher. Maika Sage was directed, among other things to contact the Employee Assistance Program to schedule an appointment.

16. On May 25, 2011, Maika Sage was issued a Letter of Directive from Gayle Elijah, Director of Human Resources. This letter reiterated that Maika Sage was placed on administrative leave pending a validation of fitness for duty as a classroom teacher. The letter also requested verification of the medical emergency that required her to leave the school campus

February 28, 2011 and verification of the police report regarding the break-in of her car in April, 2011, which Maika Sage had told the administration she would provide.

17. On July 20, 2011, Maika Sage received a letter from Gayle Elijah, Director of Human Resources regarding her paid administrative leave pending an assessment of fitness for duty. The letter further directed Maika Sage to contact a health provider paid for by the district. The letter again requested the documentation regarding her medical emergency and the police report regarding the car break in.

18. On September 14, 2011, Maika Sage was arrested by the Washington State Patrol (WSP) for Driving Under the Influence of Alcohol, Revised Code of Washington (RCW) 46.61.502; WSP Report #694129.

19. On October 27, 2011, Todd Strickland, Lincoln High School teacher, sent an email to Patrick Erwin, Lincoln High School Co-Principal, regarding his concerns about Maika Sage and the condition of her classroom. Mr. Strickland reported among other things, that he had received multiple complaints from students regarding Maika Sage including serious concerns regarding completion of their senior project and meeting graduation requirements.

20. On December 16, 2011, Maika Sage attended a high school basketball game and was initially refused entry. Two Tacoma School District staff members reported to LuAnn Kucklick, Lincoln High School Principal that Maika Sage appeared to be under the influence of drugs or alcohol.

21. On December 30, 2011, Maika Sage was involved in a car accident with her 14 year old niece as a passenger in the vehicle. Maika Sage was arrested by the Gig Harbor Police Department for Driving Under the Influence-Liquor and Reckless Endangerment, RCW 46.61.502 & RCW 9A.36.050. Gig Harbor Police Department Incident No: GH111651.1.

22. On January 1, 2012, Lynn MacDonald, Tacoma Education Association (TEA) Representative of Maika Sage contacted Gayle Elijah to notify her that Maika Sage was hospitalized and unable to report for work.

23. On January 2, 2012, a private citizen contacted the district to report that Maika Sage was using illegal drugs. The citizen reported that he had purchased illegal drugs for Maika Sage and showed the district administration text messages between him and Maika Sage to support this accusation. He provided the district administration with pictures of Maika Sage in possession of alleged drug paraphernalia. The citizen stated that Maika Sage owed him money for the drugs and he had gone to Lincoln High School to collect it from her. The citizen also brought student work with him which he claimed came from Maika Sage's car.

24. On January 12, 2012, the district received notification from Lynn McDonald, TEA representative that Maika Sage was reporting for inpatient treatment for 21 to 30 days with a request for confirmation of the status of her employment.

25. On January 19, 2012, Maika Sage submitted a request for leave of absence for a medical emergency starting January 2, 2012.

26. On January 24, 2012, a Certification of Health Care Provider from Valley General Hospital was faxed to the Tacoma Public Schools. The Certification form verified that Maika Sage was to be in an In-patient Residential Treatment for an estimated 3-4 weeks commencing on January 12, 2012 through February 1, 2012.

27. On February 3, 2012, Maika Sage submitted a medical report form indicating a diagnosis of: Chemical Dependency with an expected return to work date of February 1, 2012.

28. On February 3, 2012, Pat Erwin, Lincoln High School Co-Principal was packing Maika Sage's belongings in her classroom and found a number of ungraded student papers with varying dates.

29. On February 9, 2012, Maika Sage received a letter from Gayle Elijah, Director of Human Resources notifying Maika Sage of new allegations of misconduct including failure to assess student work and failing to perform necessary duties required of a teacher.

30. On February 22, 2012, Patrick Erwin, Lincoln High School Co-Principal, sent an email to Gayle Elijah, Director of Human Resources, regarding Ms. Sage having difficulty with the grading system and entering grades. Mr. Erwin reported that after returning from winter break, he found ungraded student work in boxes, in cabinets and under the desk and tables.

31. On March 27, 2012, Carla Santorno, Superintendent-Elect (Interim) of the Tacoma School District, issued a probable cause for termination letter to Maika Sage. Maika Sage failed to appeal this decision and her termination became effective April 6, 2012.

32. On June 13, 2012, Maika Sage emailed the OPP office in response to a letter. OPP sent an email which requested updated contact information from Maika Sage and a request she provide any additional information. Maika Sage did not respond to that email.

33. On June 19, 2012, Maika Sage plead guilty to the charge of Driving Under the Influence in the Pierce County District Court for the September 14, 2011 Washington State Patrol Incident #694129; Pierce County District Court Case 1ZC004168.

34. On June 19, 2012, Maika Sage entered into a Deferred Prosecution to the charge of Driving Under the Influence in the Pierce County District Court for the December 30, 2011 Gig Harbor Police Department Incident No: GH111651.1; Pierce County District Court Case Number 2ZC000331.

35. In January, 2013, Maika Sage contacted OPP by leaving a voice mail that indicated she was now ready to participate in this investigation and left a call back number. OPP attempted to contact Maika Sage but was unable to leave a voice message.

36. On more than one occasion in March and April, 2014, in order to provide Maika Sage with her opportunity to respond to allegations of misconduct, as per RCW 28A.410.090, OPP

made attempts to contact Maika Sage and requested a response by May 7, 2014. Maika Sage has not responded by date of this Order.

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

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Maika Sage and over the subject matter of this action.
2. OSPI has shown by clear and convincing evidence that the Washington Education Certificate No. 389879H, of Maika Sage, should be suspended for unprofessional conduct and/or lack of good moral character or personal fitness. RCW 28A.410.090, WAC 181-86-070, WAC 181-87-060; WAC 181-86-013; WAC 181-86-014.

ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate, No. 389879H, of Maika Sage be suspended for twenty four (24) months.

REINSTATEMENT will require: (1) successful completion of, or continued compliance in an alcohol treatment program which is mutually agreed upon between Maika Sage and OPP; (2) that Maika Sage provide written consent for OPP to release documents to the provider for purposes of completing the evaluation; (3) that Maika Sage will provide OPP with evidence of his/her successful completion of or continued compliance in his/her treatment program and; (4) if requested, Maika Sage will sign consent forms authorizing OPP to have access to all records pertaining to his/her treatment and to discuss any and all treatment undertaken with the providers

MAIKA SAGE

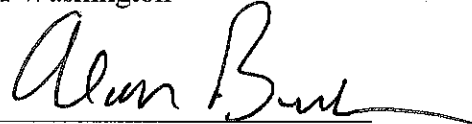
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administering treatment. The cost of conformance to all reinstatement requirements will be the responsibility of Maika Sage.

AND Reinstatement will require: (1) submission of a new application, including Character and Fitness Supplement, provided by OPP and having Maika Sage's fingerprints be checked by both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP); and (2) that if Maika Sage's education certificate expires during the period of suspension, Maika Sage will show that she meets all academic requirements for renewal/reinstatement of the education certificate. Reinstatement shall also be contingent upon Maika Sage's fingerprint background check returning with no criminal convictions that are listed in WAC 181-86-013, RCW 28A.410.090, any felony convictions.

DATED This 2 day of July, 2014.

RANDY I. DORN
Superintendent of Public Instruction
State of Washington



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