

Superintendent of the School District, alleging the Educator committed unprofessional conduct pursuant to WAC 181-87 for inappropriate comments and interactions with students.

4. During the 2019–20 school year and 2020–21 school year, the Educator was employed with the Moses Lake School District as a high school teacher.

5. From approximately March 2020 to December 2020, the Educator exchanged numerous electronic communications with a high school student.

- a. The communications were of a peer-like nature and included inappropriate comments;
- b. The communications occurred outside of school hours; and,
- c. The Educator was under the influence of alcohol during some of the communications

6. On January 1, 2021, OPP received a complaint from Joshua Meek, Moses Lake School District Superintendent, alleging the Educator committed acts of misconduct with a student. OPP initiated an investigation, D21-01-002.

7. On July 3, 2023, an Agreed Order of Suspension was issued by OSPI. Per the Agreed Order, the Educator’s education certificate was to be suspended for at least forty-five (45) days.

To reinstate his certificate, the Educator was required to:

- a. Obtain and complete a substance abuse evaluation and, if recommended, complete any and all treatment; and,
- b. Successfully complete a course on Maintaining Boundaries.

8. On August 18, 2023, after completing reinstatement requirements, the Educator’s certificate was reinstated.

9. On or about March 8, 2024, the Educator was serving as a substitute teacher at Cheney High School.

10. While serving as a substitute teacher, the Educator made inappropriate comments to students including, but not limited to:

- a. After playing a game with a student where the object is to strike the other person's hand, the Educator stated that he just wanted an excuse to hit her;
 - b. Made a comment of or similar to, "Hate me, I'm evil. Fine if you think I'm sexist";
 - c. After saying he had a headache, made a comment of or similar to, "I wish a vein would pop and I would die"; and,
 - d. Made a comment of or similar to female student of, "So you're one of those freaks that's good at math".
11. During his interview with OPP, the Educator recalled the comments to students. In addition, the Educator stated that his comments to students were the result of a lack of sleep and a headache due to a commitment of working multiple jobs.

II. CONCLUSIONS OF LAW

1. Revised Code of Washington ("RCW") Chapter 28A.410 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.410.010; RCW 28A.410.090. Chapters 181-86 and 181-87 of the WAC further implement OSPI'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.
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. Pursuant to WAC 181-86-070, a suspension is appropriate discipline when:

(1)(b) The education practitioner has committed an act of unprofessional conduct or lacks good moral character but the superintendent of public instruction has determined that a suspension as applied to the particular education practitioner will probably deter subsequent unprofessional or other conduct which evidences lack of good moral character or personal fitness by such education practitioner, and believes the interest of the state in protecting the health, safety, and general welfare of students, colleagues, and other affected persons is adequately served by a suspension. Such order may contain a requirement that the education practitioner fulfill certain conditions before requesting reinstatement of the suspended certificate, and certain conditions after the reinstatement of the suspended certificate.

(1)(c) The education practitioner lacks personal fitness but the superintendent of public instruction has determined the deficiency is correctable through remedial action and believes the interest of the state in protecting the health, safety, and general welfare of students, colleagues, and other affected persons is adequately served by a suspension which states the education practitioner fulfill certain conditions before requesting

reinstatement of the suspended certificate, and certain conditions after the reinstatement of the suspended certificate.

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, WAC 181-87-060, the Educator's education certificate should be suspended for unprofessional conduct and/or a behavioral problem which endangers the educational welfare or personal safety of students, teachers, or other colleagues within the educational setting.

III. ORDER

THEREFORE, it is hereby ordered and agreed that the Washington Education Certificate, No. 534451J of *ETHAN WHITNEY* is **SUSPENDED**. The Educator may not request reinstatement of his/her education certificate for at least six (6) months from the effective date of this ORDER.

REINSTATEMENT of Ethan Whitney's education certificate shall require:

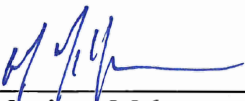
- (1) In addition to any mandatory continuing education, the Educator must successfully complete a MAINTAINING BOUNDARIES course, preapproved by OSPI. The Educator will provide OSPI proof of completion of the course prior to requesting reinstatement;
- (2) The Educator must successfully complete a CLASSROOM MANAGEMENT course, preapproved by OSPI. The Educator will provide proof of completion of the course prior to requesting reinstatement;
- (3) The Educator must submit a new application, including 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 and the Washington State Patrol;
- (5) 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; AND
- (6) The Educator shall assume all costs of complying with the requirements of this Order.

WAIVER OF RIGHT TO APPEAL

The Educator is aware that RCW 28A.410.090(3) and WAC 181-86-140 afford them the right to appeal a denial or discipline order issued by OSPI. Acknowledging this, the Educator knowingly and voluntarily waives his/her right to appeal by entering into this Agreed Order of Suspension.

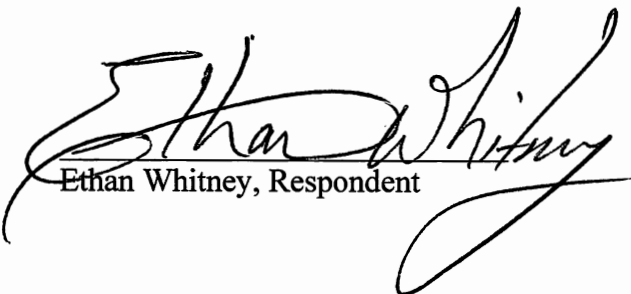
DATED this 19th day of May, 2026

CHRIS REYKDAL
Superintendent of Public Instruction
State of Washington



Monique Malson
Deputy Chief Legal Officer

Stipulated to and approved
For entry:



Ethan Whitney, Respondent