



SUPERINTENDENT OF PUBLIC INSTRUCTION

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

IN THE MATTER OF THE EDUCATION
CERTIFICATE OF

GARY GAASLAND
Certificate No. 456428B

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OPP No. D18-06-063

AGREED ORDER
OF SUSPENSION

After receiving and investigating a complaint from Battle Ground Public Schools (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 GARY GAASLAND (Educator) that the Educator engaged in acts of unprofessional conduct to include WAC 181-87-060 and the Educator's Washington Education Certificate No. 456428B shall be SUSPENDED for not less than THREE (3) MONTHS with conditions enumerated below, based on the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. On July 16, 2018, the Educator was issued Washington Education Certificate No. 456428B. The Educator's certificate will expire on June 30, 2024.
2. During the 2017–2018 school year, the Educator was employed by the School District at Tukes Valley Primary School as an Elementary Special Education teacher.

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GARY GAASLAND
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3. On June 7, 2018, the Office of Professional Practices (OPP) within the Office of Superintendent of Public Instruction (OSPI) received a complaint from Mark Ross, the Superintendent of the School District, alleging the Educator committed unprofessional conduct pursuant to WAC 181-87 for inappropriate conduct with students and abandonment of professional standards in the course of professional practices for the assessment, treatment, instruction, or supervision of students.

4. During the 2017–2018 school year, the Educator:

- a. Failed to properly document the academic progress or achievement of students and failed to provide appropriate special education to students as required by their Individual Education Plans;
- b. Used improper and unauthorized physical restraints on students;
- c. Used unprofessional language towards students; and
- d. Used a small room as punishment and/or “time out” for students on a frequent basis in violation of school policy.

5. On May 11, 2018, the Educator was placed on administrative leave with pay.

6. The Educator acknowledged that his classroom was particularly challenging during the spring of 2018 but denied engaging in any intentional misconduct towards students.

7. On November 1, 2018, the Educator signed a Settlement Agreement with the School District and resigned effective December 31, 2019.

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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.410.010; RCW 28A.410.090. Chapters 181-86 and 181-87 of the Washington Administrative Code (WAC) further implement OSPI's authority.

2. OSPI has jurisdiction over the Educator and the subject matter of this action.

3. There is a clear and convincing evidence the Educator committed acts of unprofessional conduct pursuant to WAC 181-87-060 and WAC 181-86-170.

4. 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.

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5. 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 181-87-170, and WAC 181-87-060, the Educator's education certificate should be suspended for unprofessional conduct.

III. ORDER

THEREFORE, it is hereby ordered and agreed that the Washington Education Certificate, No. 456428B of GARY GAASLAND is **SUSPENDED**. The Educator may not request reinstatement of their education certificate for at least **THREE (3) MONTHS** from the effective date of this ORDER.

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REINSTATEMENT of the Educator's education certificate shall require:

- (1) The Educator must successfully complete an in-person ANGER MANAGEMENT course, preapproved by OSPI. The Educator will provide proof of completion of the course prior to requesting reinstatement;
- (2) The Educator must submit a new application, including 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 and the Washington State Patrol;
- (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; AND
- (5) 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 him/her 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 29th day of April, 2021.

CHRIS REYKDAL
Superintendent of Public Instruction
State of Washington

Signed: Tennille Jeffries-Simmons
Chief of Staff

Stipulated to and approved
For entry:

Signed: Gary Gaasland, Respondent

Signed: Margaret Olney, Attorney for Respondent
WSBA # 17933