



SUPERINTENDENT OF PUBLIC INSTRUCTION

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IN THE MATTER OF THE EDUCATION
CERTIFICATE OF

DAVID SPRINGER
Certificate No. 539397J

OPP No. D19-12-093

FINAL ORDER
OF SUSPENSION

After receiving and investigating a notification of disciplinary action by the Oregon Teacher Standards and Practices Commission (TSPC) from the National Association of State Directors of Teacher Education and Credentialing (NASDTEC) regarding the above referenced educator, and based upon the facts available as of the date of this Proposed Order, the Superintendent of Public Instruction, through his undersigned designee, institutes this proceeding and finds, as described below, that DAVID SPRINGER (Educator) engaged in acts of unprofessional conduct to include WAC 181-87-050 and WAC 181-87-060, and does hereby SUSPEND the Educator's Washington Education Certificate No. 539397J for not less than Ninety (90) days with conditions enumerated below, based on the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. On April 10, 2017, the Educator was issued Washington Education Certificate No. 539397J. The Educator's certificate currently has no expiration date.
2. During the 2016-2017 school year, the Educator was employed by the Portland Public Schools as a substitute teacher.

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3. On November 7, 2019, the Office of Professional Practices (OPP) within the Office of Superintendent of Public Instruction (OSPI) received notice from the National Association of State Directors of Teacher Education and Certification (NASDTEC) that the Oregon Teacher Standards and Practices Commission (TSPC) took disciplinary action against the Educator's Oregon educator license.

4. On November 18, 2016, while serving as a substitute teacher for a 2nd grade class at Beach Elementary School, the Educator forcibly moved a student's chair from under the student causing her to fall to the ground and strike her head on the chair.

5. On February 7, 2017, while serving as a substitute teacher for a 3rd grade class at Beach Elementary School, the Educator forcefully shoved a desk into a student's back.

6. When the Beach Elementary School principal told the Educator he was being removed for the remainder of the day, the Educator admitted to the principal he pushed a desk into the student.

7. On February 7, 2017, Portland Public Schools sent the Educator a letter advising him his substitute teacher status would be inactive pending an investigation into allegations of founded physical abuse.

8. On February 9, 2017, TSPC received a report from the Oregon Department of Human Services that the Educator violated Oregon Professional Standards and Practices.

9. On February 17, 2017, TSPC sent the Educator a letter advising him he was under investigation.

10. On February 22, 2017, the Educator submitted an application for Washington State Residency/Substitute Teacher Certification application.

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11. In the Character and Fitness Supplement, part of the certification application, the Educator answered *Yes* to question 3, Section II, that he had been under investigation by a certification or licensing agency and stated that investigation was a prior Oregon Department of Human Services foster care placement investigation. The Educator did not list the TSPC investigation.

12. In the Character and Fitness Supplement, part of the certification application, the Educator falsely answered *No* to question 11, Section II, when asked whether he was currently or ever had been the subject of an investigation by an employer for allegations of misconduct.

13. On November 30, 2018, the Educator participated in an interview with a TSPC investigator. During the interview, the Educator stated that on February 7, 2017, he picked up and dropped a desk as an “attention getter” and, on November 18, 2016, he moved a chair after the female student stood up.

14. On July 10, 2019, the Educator signed a Stipulation of Facts and Final Order of Suspension and Probation agreeing to a sixty (60) day suspension of his Oregon teaching certificate and one (1) year probation after reinstatement wherein the Educator must complete TSPC approved Classroom Management training. The Order was finalized by TSPC on August 12, 2019.

15. The Educator was notified of an opportunity to provide a response to the allegations of misconduct by OSPI. As of the date of this Order, the Educator has not responded.

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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. The Educator committed acts of unprofessional conduct pursuant to WAC 181-87-050 and 181-87-060 for intentional falsification of facts on an OSPI application for certification and acts of inappropriate physical actions with students.
4. There is a clear and convincing evidence 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.

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6. 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, and WAC 181-87-050, the Educator's education certificate should be suspended for unprofessional conduct.

III. ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate No. 539397J of DAVID SPRINGER is **SUSPENDED**. The Educator may not request reinstatement of his education certificate for at least Ninety (90) days from the effective date of this ORDER.

REINSTATEMENT of DAVID SPRINGER's education certificate shall require:

- (1) 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;
- (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.

DATED this 16th day of April, 2021.

CHRIS REYKDAL
Superintendent of Public Instruction
State of Washington

Signed: Tennille Jeffries-Simmons
Chief of Staff