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## SUPERINTENDENT OF PUBLIC INSTRUCTION

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

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RE: Eileen Booth  
OSPI Case Number: D17-01-006  
Document: Suspension

Regarding your request for information about the above-named educator; attached is a true and correct copy of the document on file with the State of Washington, Office of Superintendent of Public Instruction, Office of Professional Practices. These records are considered certified by the Office of Superintendent of Public Instruction.

Certain information may have been redacted pursuant to Washington state laws. While those laws require that most records be disclosed on request, they also state that certain information should not be disclosed.

The following information has been withheld: **None**

If you have any questions or need additional information regarding the information that was redacted, if any, please contact:

OSPI Public Records Office  
P.O. Box 47200  
Olympia, WA 98504-7200  
Phone: (360) 725-6372  
Email: [PublicRecordsRequest@k12.wa.us](mailto:PublicRecordsRequest@k12.wa.us)

You may appeal the decision to withhold or redact any information by writing to the Superintendent of Public Instruction, OSPI P.O. Box 47200, Olympia, WA 98504-7200.



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IN THE MATTER OF THE EDUCATION )  
CERTIFICATE OF )

OPP No. D17-01-006

EILEEN BOOTH )  
Certificate No. 485673H )  
\_\_\_\_\_ )

FINAL ORDER  
OF SUSPENSION

After receiving and investigating a complaint from the Professional Educator Standards Board (“PESB”) 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 EILEEN BOOTH (“Educator”) engaged in acts of unprofessional conduct to include WAC 181-87-050(9), and does hereby SUSPEND the Educator’s Washington Education Certificate No. 485673H for not less than 30 days, based on the following Findings of Fact and Conclusions of Law:

### I. FINDINGS OF FACT

1. On November 22, 2011, the Educator was issued an Emergency Substitute Teaching Certificate, No. 485673H. The Educator was issued a Residency Teaching Certificate on June 26, 2013, and it will expire on June 30, 2018.
2. On January 11, 2017, the Office of Professional Practices (“OPP”) within the Office of Superintendent of Public Instruction (“OSPI”) received a complaint letter from Ms. Jennifer Wallace, the Executive Director of the Washington State Professional Educator Standards Board (“PESB”)s, alleging that the Educator has committed an act of unprofessional conduct.

3. The Educator is a primary math teacher for 6th and 7th grades at Darrington Middle School in the Darrington School District.
4. Completion of the Educator's ProTeach Portfolio is a requirement for certificated teachers in Washington to maintain their professional teacher education certificate.
5. The Educator submitted her ProTeach Portfolio to the Educational Testing Service ("ETS") for scoring on or about June 28, 2016. ETS is a company contracted with PESB to analyze and score ProTeach portfolios. With her submission, the Educator attested that all of the information contained in her ProTeach portfolio was her own work.
6. Shawna Brown is a 6th and 7th grade math, science, and study skills teacher at Darrington Middle School in the Darrington School District.
7. Ms. Brown completed her ProTeach Portfolio on June 23, 2014. Ms. Brown offered the Educator advice while she was completing her ProTeach Portfolio. Ms. Brown did not give the Educator a copy of her portfolio, but she does keep her portfolio in a binder in her classroom. Her classroom is not locked, so Ms. Brown believes that the Educator may have taken the portfolio to copy it.
8. On or about September 12, 2016, Sheila B. Linkhorst, Test Security Analyst from the Office of Testing Integrity within ETS, completed a report finding that the Educator had "Unusual Similarities in Essays" as compared to Ms. Brown's portfolio.
9. On or about October 14, 2016, ETS sent the Educator a letter stating the following: "The Board of Review, after careful consideration of all of this information, believes there is substantial evidence to support voiding [the Educator's] June 28, 2016 Washington *ProTeach Portfolio* scores. [The Educator's] scores for this submission have been made void."

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10. On or about March 22, 2017, OPP received a written statement from the Educator. In her statement, the Educator said when she was trying to complete her portfolio, she was going through a very stressful time in her life. She had trouble uploading documents for submission, so her friend Kayla Erickson offered to help her. The Educator stated, “After reviewing my work, I realized that they attached my samples from many colleagues and not my work. I received samples from many colleagues to help me with writing mine as my program is difficult to fit into the Pro-Cert form, as it is a combination of a resource room with a life skills program in it. What I realized after reviewing my submission was that the person that helped me copy and paste my work into the Pro-Cert boxes actually opened the wrong files (the ones listed in Pro Cert examples) and submitted wrong evidence or my rough drafts into the document.

11. The comparison between Ms. Brown’s portfolio and the Educator’s submission is not identical. There are significant similarities; however, a small number of items have been altered to more accurately describe the Educator’s teaching experiences. The changes to the original work is evidence that the Educator did not inadvertently upload the wrong files as her submission.

## II. CONCLUSIONS OF LAW

1. Chapter 28A.410 RCW gives PESB 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.410.090, RCW 28A.410.010, and WAC 181-86 and WAC 181-87 further implement OPSI’s authority.

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

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3. The Educator committed acts of unprofessional conduct pursuant to WAC 181-87-050(9) when she misrepresented information on her submission of her ProTeach Portfolio. The Educator attested that all of the information contained in her ProTeach portfolio was her own work. Substantial evidence supports that the Educator copied large portions of another educator's work.

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. 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, and WAC 181-87-050(9), the Educator is suspended for unprofessional conduct.

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### III. ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate, No. 485673H, of EILEEN BOOTH is **SUSPENDED**. The Educator may not request reinstatement of her education certificate for at least thirty (30) days from the effective date of this ORDER.

**REINSTATEMENT** of Eileen Booth's education certificate shall require:

- (1) The Educator must submit a new application, including a Character and Fitness Supplement, provided by OPP;
- (2) The Educator must complete a fingerprint-based criminal background check through both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP);
- (3) The Educator's fingerprint background check must return with no criminal convictions, occurring after the date of issuance of a Final Order or Suspension, that are listed in WAC 181-86-013, RCW 28A.410.090, or any felony convictions;
- (4) The Educator shall assume all costs of complying with the requirements of this Order.

DATED this 21st day of June, 2017.

CHRIS REYKDAL  
Superintendent of Public Instruction  
State of Washington

Dierk Meierbachtol  
Chief Legal Officer