



SUPERINTENDENT OF PUBLIC INSTRUCTION

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

RE: Rodney Wells
OSPI Case Number: D16-05-029
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

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. D16-05-029

RODNEY WELLS)
Certificate No. 457719C)
_____)

AGREED ORDER
OF SUSPENSION

After receiving and investigating a complaint from the Renton 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 RODNEY WELLS (the Educator), that the Washington Education Certificate No. 457719C, shall be suspended for not less than four (4) months with conditions enumerated below, based on the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. On September 3, 2008, the Educator was issued Residency Teacher Certificate No. 457719C. This certificate will expire on June 30, 2019.

2. The Educator was a math teacher at McKnight Middle School in the Renton School District.

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RODNEY WELLS
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3. The Educator has had no previous disciplinary action through the Office of Professional Practices (OPP); however, the Educator has received two letters of reprimand from the Renton School District.

a. On or about April 3, 2015, the Educator was given a letter of reprimand by Sheryl A. Moore, J.D., Assistant Superintendent Human Resources for the Renton School District, for demeaning and disrespectful communication with students.

b. On or about November 5, 2015, the Educator was given another letter of reprimand by Debra Tito, Executive Director of Human Resources from the Renton School District, for a pattern of unprofessional communication with staff and students.

4. On or about May 12, 2016, OPP, which is within the Office of Superintendent of Public Instruction (OSPI), received a complaint letter from Dr. Art Jarvis, the Interim Superintendent of the Renton School District, alleging the Educator committed an act or acts of unprofessional conduct in violation of the Code of Professional Conduct, Washington Administrative Code (WAC) 181-87-060.

5. On or about March 14, 2016, Student A alleges the Educator made Student A come to the front of the classroom and sit on a stool; the Educator picked up a piece of yarn from the floor, looped the yarn around Student A's neck, and held the yarn up. The Educator states that he showed the student the yarn but did not put it around his neck. The Educator also disputes where Student A was seated.

6. On or about March 17, 2016, Student A reported the incident with the yarn to Kurt Roper, a counselor at McKnight Middle School. Student A told the counselor that he was so upset by the incident that he could not tell his parents about it until March 16, 2016. His parents told him that he should inform the administration.

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7. The school district initiated an investigation. During the investigation, Mickie Pemberton, Assistant Principal of McKnight Middle School, interviewed several students. The students told Ms. Pemberton that the Educator did many inappropriate things. The Educator denies, some, but not all, of the allegations that were made.
8. On or about April 28, 2016, the Educator was sent a notice of probable cause for suspension without pay by Dr. Jarvis. The Educator received a twenty (20) day suspension without pay.
9. On or about May 2, 2016, the Educator sent a request for hearing to dispute the school district's suspension action.
10. On or about June 23, 2016, the Educator and the Renton School District entered into a Settlement Agreement. The Educator agreed to withdraw his hearing request and resign his teaching position and the Renton School District agreed to withdraw its notice of probable cause for suspension.
11. The Educator resigned his teaching position on June 23, 2016, with an effective date of February 28, 2017.

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.410.090, 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 181-87-060(1) when he repeatedly used demeaning and disrespectful communication with students and colleagues.

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 181-87-060(1), 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. 457719C of RODNEY WELLS is **SUSPENDED**. The Educator may not request reinstatement of his education certificate for at least four (4) months from the effective date of this ORDER.

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REINSTATEMENT of Rodney Wells' 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 an Agreed Order of 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 23rd day of August, 2017

CHRIS REYKDAL
Superintendent of Public Instruction
State of Washington

Stipulated to and approved
For entry:

Signed: Dierk Meierbachtol
Chief Legal Officer

Signed: Rodney Wells
Respondent