



# SUPERINTENDENT OF PUBLIC INSTRUCTION

DR. TERRY BERGESON OLD CAPITOL BUILDING • PO BOX 47200 • OLYMPIA WA 98504-7200 • <http://www.k12.wa.us>

IN THE MATTER OF THE EDUCATION )  
APPLICATION OF )  
 )  
 )  
MICHAEL GUNDLACH )  
 )  
 )

OPP No. A03-06-0230  
  
DENIAL ORDER  
FOR CERTIFICATION

COMES NOW the Office of Superintendent of Public Instruction (OSPI), under the authority granted by the laws of the state of Washington, having reviewed the file of the above-referenced case, and having considered the entire evidence contained therein, does hereby deny the education application of MICHAEL GUNDLACH based on the Findings of Fact and Conclusions of Law set forth below:

### FINDINGS OF FACT

1. In 1999, Michael Gundlach was employed as a certificated teacher in the Kellogg, Idaho School District.

2. On February 2, 2000 the Idaho Professional Standards Commission, by letter, notified Michael Gundlach of their intent to investigate the complaint of the possible violation of the Code of Ethics of the Idaho Teaching Profession submitted by Greg Godwin, Superintendent of Kellogg Joint School District.

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MICHAEL GUNDLACH  
DENIAL ORDER FOR CERTIFICATION -1-

3. On May 2, 2000, Michael Gundlach signed and submitted a Baker School District, Oregon Certified Application for employment. He responded "no" to the Personal History questions, "Have you ever had a report of child abuse or sexual activities involving a K-12 student or minor filed against you with a school district, Children Services Division, a police agency or in a court?"

4. Michael Gundlach failed to reveal the allegations filed against him when he submitted a signed application for Educator License to the Oregon Teacher Standards and Practices Commission. On May 18, 2000, Michael Gundlach responded "no" to character question, "2. Are you currently the subject of an inquiry, review or investigation for alleged misconduct or alleged violations of professional standards of conduct?" On September 5, 2000, based upon his application, the Commission issued a Basic Teaching License valid until August 23, 2004.

5. On February 2, 2001, the Idaho Professional Standards Commission suspended the Idaho teaching certificate of Michael Gundlach for three years, based upon findings of the allegations in the complaint from the Kellogg School District.

6. On July 11, 2001, the Oregon Standards and Practices Commission revoked Mr. Gundlach's Oregon education certificate.

7. Good moral character and personal fitness is a requirement to attain a Washington education certificate.

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Michael Gundlach and over the subject matter of this action.
  
2. Michael Gundlach has failed to provide clear and convincing evidence of good moral character or personal fitness to receive a Washington education certificate, Washington Administrative Code (WAC) 180-86-170.
  
3. Michael Gundlach has violated WAC 180-87-050.

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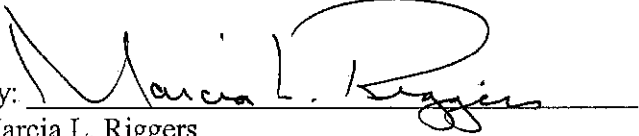
**ORDER**

THEREFORE, it is hereby ordered that the application for certification of Michael Gundlach is denied.

This order may be appealed within thirty (30) calendar days from the date of receipt, pursuant to Chapter 180-86 WAC, copy enclosed.

DATED this 18 day of December 2003.

DR. TERRY BERGESON  
Superintendent of Public Instruction  
State of Washington

By:   
Marcia L. Riggers  
Assistant Superintendent  
Student Support and Operations