



# 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	)	OPP No. A06-10-347
	)	
JOHNNIE W. WAYLAND	)	DENIAL ORDER
DOB: [REDACTED]/1943	)	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 JOHNNIE WAYLAND based on the Findings of Fact and Conclusions of Law set forth below:

## FINDINGS OF FACT

1. Johnnie Wayland applied for a Washington education certificate on August 18, 2006.
2. On the Character and Fitness Supplement, a part of the application process, Mr. Wayland answered yes to Question 3, Professional Fitness Section regarding having been the subject of a certificate or licensing agency for allegations of misconduct; Question 4 regarding adverse action taken on a certificate or license; Question 10 regarding having been disciplined by a past or present employer for allegations of misconduct and Question 11 regarding having been the subject of an investigation or inquiry by an employer because of misconduct.

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3. Mr. Wayland submitted a written response indicating that his license was suspended for the 1994-1995 school year. In addition, he was suspended from his employment at the Salem-Keizer School District for the same time period. He states that he had an inappropriate relationship with a female student. During that year, he met with a psychiatrist to discuss relationships and boundaries. Once his license was reinstated, he was assigned to a teaching position in the same school district and taught for eight additional years, until his retirement three years ago. Since his retirement, he has substituted in the same district.

4. A routine check of the VAXA online certificate database shows a disciplinary action taken against his certificate on September 1, 1996. This information is based on a notification of disciplinary action from the NASDTEC clearinghouse. The NASDTEC database shows action as Invalidation from Oregon Teacher Standards and Practices Commission (TSPC) dated May 23, 1996.

5. On October 16, 2006, a request was made to Oregon TSPC regarding the nature of the action taken against the Oregon certificate of Johnnie Wayland.

6. On October 17, 2006, the Oregon TSPC responded with information regarding the action taken against Mr. Wayland's teaching certificate. This included the Stipulation of Facts and Order resulting in a one year suspension in September, 1994 to August, 1995 because of his inappropriate relationship with a female student.

7. The Ultimate Finding of Facts state that:

- a. Mr. Wayland developed an inappropriately close emotional relationship with a female student, engaging in verbal and physical conduct of an inappropriate nature with the student.

- b. Mr. Wayland disregarded the request of the student's mother that he limit his contact with the student and avoid seeing her alone on social occasion.
  - c. Mr. Wayland deceived the student's parents by taking the student to a dance alone when he had assured the parents that his adult daughter would be present during the occasion.
8. The Order suspended Mr. Wayland's teaching certificate to run concurrently with the suspension of his employment from September 1, 1994 through August 31, 1995. Mr. Wayland was placed on probation for a period of four years and subjected to conditions which included continued counseling, a written report from his treating psychiatrist and no violations of any professional standards.
9. Good moral character and personal fitness is a requirement to attain a Washington education certificate.

#### CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Johnnie Wayland and over the subject matter of this action.
2. Johnnie Wayland 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) 181-86-170.

**ORDER**

THEREFORE, it is hereby ordered that the application for certification of Johnnie Wayland is denied.

This order may be appealed within thirty (30) calendar days from the date of receipt, pursuant to Chapter 181-86 WAC, copy enclosed.

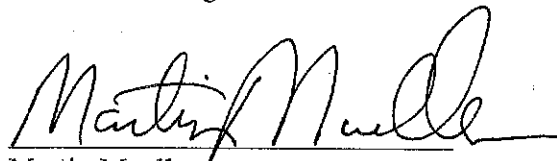
This order will become final thirty days after it is received, unless it is appealed within the thirty day period.

Appeals should be addressed to:

Superintendent of Public Instruction  
Office of Professional Practices  
PO Box 47200  
Olympia, WA 98504

DATED this 8<sup>th</sup> day of January, 2007.

DR. TERRY BERGESON  
Superintendent of Public Instruction  
State of Washington



Martin Mueller  
Assistant Superintendent  
Student Support and Operations