



SUPERINTENDENT OF PUBLIC INSTRUCTION

RANDY I. DORN OLD CAPITOL BUILDING • PO BOX 47200 • OLYMPIA WA 98504-7200 • <http://www.k12.wa.us>

IN THE MATTER OF THE EDUCATION)	
CERTIFICATE OF)	OPP No. D08-07-051
)	
James Saryerwinnie)	FINAL ORDER
Certificate No. 428238J)	OF SUSPENSION
)	

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 suspend the Washington Education Certificate No. 428238J, of James Saryerwinnie for twelve (12) months based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. James Saryerwinnie was issued a Washington Education Certificate, No. 428238J, on July 15, 2005. That certificate currently remains valid.
2. James Saryerwinnie was employed by the Chief Leschi Schools.
3. On July 1, 2008, the Office of Professional Practices, within OSPI, received a complaint letter from the superintendent of the Chief Leschi Schools alleging a lack of good moral character or personal fitness, or a violation of the Code of Professional Conduct, Washington Administrative Code (WAC) 181-87, by James Saryerwinnie.

JAMES SARYERWINNIE
FINAL ORDER OF SUSPENSION



4. During the 2007-2008 school year, James Saryerwinnie had an inappropriate, non-sexual, relationship with J.M. and K.W., two 7th grade female students at Chief Leschi Middle School.
5. During the 2007-2008 school year, James Saryerwinnie gave gifts and money to J.M. and K.W. and promised J.M. and K.W. other gifts, including but not limited to, laptop computers and college tuition funds.
6. During the 2007-2008 school year, James Saryerwinnie exchanged over 1,500 text messages with J.M. and exchanged text messages with K.W.
7. During the 2007-2008 school year, James Saryerwinnie frequently removed J.M. and K.W. from their 2nd period band class to speak with them about non-school related matters.
8. On May 15, 2008, James Saryerwinnie was placed on administrative leave.
9. On May 22, 2008, Ray Lorton, Superintendent of the Chief Leschi Schools, sent James Saryerwinnie a letter terminating his contract for the 2007-2008 school year.
10. On July 31, 2008, OPP received a letter from James Saryerwinnie.
11. On April 29, 2009, James Saryerwinnie participated in an interview with an OPP investigator. On August 14, 2009, James Saryerwinnie submitted a sworn statement to OPP.

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12. Good moral character and personal fitness is a continuing requirement to maintain a Washington Education Certificate.

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over James Saryerwinnie and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence that the Washington Education Certificate, No. 428238J, of James Saryerwinnie, should be suspended as provided for in WAC 181-86-070.

3. James Saryerwinnie has violated RCW 28A.410.090, WAC 181-87-060 WAC 181-86-013, and/or WAC 181-86-014.

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ORDER

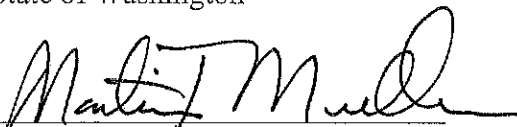
THEREFORE, it is hereby ordered that the Washington Education Certificate, No. 428238J, of James Saryerwinnie be suspended for twelve (12) months.

Reinstatement will require: (1) successful completion a psychological examination, from psychologist mutually agreed upon by OPP and James Saryerwinnie, which validates James Saryerwinnie's ability to have unsupervised access to children; (2) successful completion of any and all treatment recommended as a result of said psychological evaluation; (3) James Saryerwinnie will provide OPP with evidence of his successful completion of or continued compliance in his treatment program; (4) successful completion of a mutually agreed upon course, or training, for issues of appropriate/inappropriate relationships with students and; (5) if requested, James Saryerwinnie will sign consent forms authorizing OPP to have access to all records pertaining to his treatment and to discuss any and all treatment undertaken with the providers administering treatment. The cost of conformance to all reinstatement requirements will be the responsibility of James Saryerwinnie.

AND/OR Reinstatement shall (also) require submission of a new application, including Character and Fitness Supplement, provided by OPP and having James Saryerwinnie's fingerprints be checked by both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP). Reinstatement shall be also contingent upon James Saryerwinnie's fingerprint background check returning with no criminal convictions that are listed in WAC 181-86-013, RCW 28A.410.090, and/or any felony convictions.

DATED This 26th day of November, 2009.

RANDY L. DORN
Superintendent of Public Instruction
State of Washington


Martin T. Mueller
Assistant Superintendent
Student Support