

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)
CERTIFICATE OF)

OPP No. D04-06-043

Jay Bottemiller)
Certificate No. 392612H)

AGREED ORDER)
OF SUSPENSION)

COMES NOW the Office of Superintendent of Public Instruction, 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 stipulate by and between the Office of Professional Practices (OPP), Office of Superintendent of Public Instruction (OSPI), and Jay Bottemiller, that the Washington Education Certificate, No.392612H, of Jay Bottemiller, shall be suspended, based on the Findings of Fact and Conclusions of Law set forth below:

FINDING OF FACTS

1. Jay Bottemiller was issued a Washington Education Certificate, No. 392612H, on October 10, 2001. That certificate currently remains valid.
2. Jay Bottemiller was employed by the Pullman School District.
3. On June 1, 2004, the Office of Professional Practices, within OSPI, received a complaint letter from the Superintendent of the Pullman School District alleging a lack of good moral

JAY BOTTEMILLER
AGREED ORDER OF SUSPENSION



character or personal fitness, or a violation of the Code of Professional Conduct, Washington Administrative Code (WAC) 180-87, by Jay Bottemiller.

4. On February 19, 2005, Jay Bottemiller met with the Pullman School District Superintendent, Dr. Thomas Rockefeller. The issues of entering pornographic sites were discussed. At this time, Mr. Bottemiller admitted he accessed pornographic websites for two to three months. He received a five day suspension without pay from the School District, and was required to complete a psychological evaluation for this activity.

5. Jay Bottemiller did misuse Pullman School District computer equipment to view adult and sexually explicit websites, in violation of School District policy. This activity occurred before and after school hours, on non-school days. No students were present during this activity.

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

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Jay Bottemiller and over the subject matter of this action.
2. OSPI has shown by clear and convincing evidence that Washington Education Certificate, No. 392612H, of Jay Bottemiller, should be suspended as provided for in WAC 180-86-070.

3. Jay Bottemiller has violated WAC 180-86-013, WAC 180-86-014, WAC 180-87-060 and, RCW 28A.410.090.

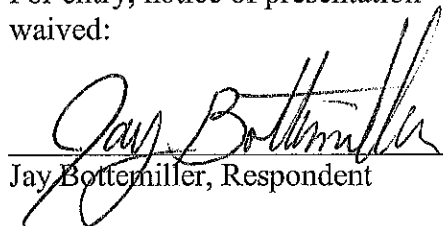
ORDER

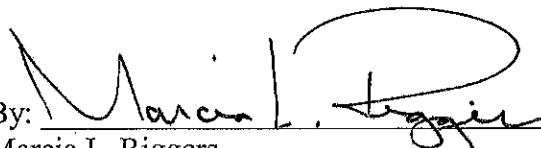
THEREFORE, it is hereby ordered and agreed that the Washington Education Certificate, No. 392612H, of Jay Bottemiller, be suspended for 4 months beginning April 10, 2005, ending August 10, 2005.

DATED This 15th day of April, 2005.

DR. TERRY BERGESON
Superintendent of Public Instruction
State of Washington

Stipulated to and approved
For entry; notice of presentation
waived:


Jay Bottemiller, Respondent

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