



SUPERINTENDENT OF PUBLIC INSTRUCTION

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

RE: Zachary Sybouts
OSPI Case Number: D16-05-032
Document: Final Order of Mandatory Permanent Revocation

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. D16-05-032
)	
ZACHARY SYBOUTS)	FINAL ORDER OF
Certificate No. 503736A)	MANDATORY PERMANENT
)	REVOCATION
)	

After receiving and investigating a complaint from Grandview School District (“School District”) regarding the above referenced educator, and based upon the facts available as of the date of this Proposed Order, the Superintendent of Public Instruction, through his undersigned designee, institutes this proceeding and finds, as described below, that ZACHARY SYBOUTS (“Educator”) engaged in acts of unprofessional conduct to include WAC 181-87-080(1) and (3), and lacks the Good Moral Character and Personal Fitness necessary to serve as a certificated employee in schools in the state of Washington as listed in WAC 181-86-013(1), and does hereby PERMANENTLY REVOKE the Educator’s Washington Education Certificate No. 503736A, pursuant to RCW 28A.410.090(4)(c), based on the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. On June 4, 2014, the Educator was issued Washington Education Certificate, No. 503736A. The Educator’s certificate is a First Issue Residency Teacher certificate that does not have an expiration date.

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2. On May 23, 2016, the Office of Professional Practices (“OPP”), within the Office of Superintendent of Public Instruction (“OSPI”), received a complaint letter from Mr. Kevin Chase, the Superintendent of the School District, reporting that the Educator may have conducted inappropriate electronic communications with a minor student who he supervises.
3. On or about February 18, 2014, the Educator entered into a provisional contract with the School District for the 2013–2014 school year beginning on March 24, 2014. The Educator continued to teach and coach various sports teams under a provisional contract at the high school level through the 2015–2016 school year.
4. On or about March 30, 2016, students reported an inappropriate relationship between Student A and the Educator to Ms. Elyse Mengarelli, Assistant Principal of Grandview High School. The students provided explicit pictures of the Educator that were exchanged between the Educator and Student A.
5. On or about March 31, 2016, Mr. Matt Mallery, the School District’s Executive Director of Human Resources, sent the Educator a letter, placing him on administrative leave, effective immediately.
6. On or about April 1, 2016, the School District filed a report with Grandview Police Department.
7. On or about May 11, 2016, the Educator and the School District entered into an agreement for the Educator to resign his position with the School District, effective immediately.
8. On May 9, 2016, Mr. Jared A. Boswell, Yakima County Deputy Prosecuting Attorney, filed an Information in Yakima County Superior Court, Cause No. 16-1-00851-39, charging the Educator with two counts of Communication with a Minor for Immoral Purposes in violation of RCW 9.68A.090(2).

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9. On January 19, 2018, the Educator entered into a plea agreement, pleading guilty to one count of Communication with a Minor for Immoral Purposes in violation of RCW 9.68A.090(2).
10. On January 19, 2018, a Felony Judgment and Sentence was filed in Yakima County Superior Court. The Educator was sentenced to one month confinement with credit for time served, the remainder to be completed as partial confinement in home detention.
11. On January 22, 2018, the Educator was sent a letter offering him an opportunity to respond to the allegations of misconduct, as required under RCW 28A.410.090(4)(a). As of the date of this Order, the Educator has not responded to OPP.
12. The Educator has pleaded guilty or has been convicted of a crime listed in RCW 28A.410.090(4). Such a plea or conviction authorizes OSPI to permanently revoke Education certificate No. 503736A, of Zachary Sybouts.

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.410.010; RCW 28A.410.090. Chapters 181-86 and 181-87 of the Washington Administrative Code (WAC) further implement OSPI's authority.
2. OSPI has jurisdiction over the Educator and the subject matter discussed herein.
3. The Educator has committed acts of unprofessional conduct pursuant to WAC 181-87-080.
4. The Educator has demonstrated a lack of good moral character and personal fitness pursuant to WAC 181-86-013-014.

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5. There is clear and convincing evidence that the Educator has violated the code of professional conduct and demonstrated a lack of good moral character and personal fitness. WAC 181-86-075.

6. Pursuant to WAC 181-86-080, eleven (11) 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.

7. 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 181-86-075 (Grounds for Issuance of an Order of Revocation), RCW 28A.410.090(4)(c), WAC 181-87-080, WAC 181-86-013, and WAC 181-86-014, ZACHARY SYBOUTS'S education certificate in the state of Washington should be permanently revoked for lack of good moral character and felony sex offenses.

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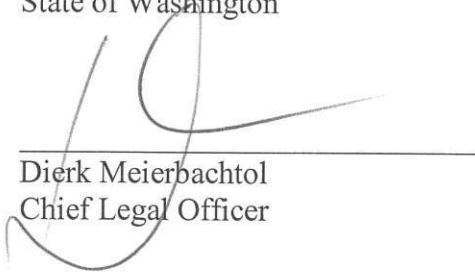
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III. ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate No. 503736A, of ZACHARY SYBOUTS is **PERMANENTLY REVOKED**.

DATED this 15th day of May, 2018.

CHRIS REYKDAL
Superintendent of Public Instruction
State of Washington



Dierk Meierbachtol
Chief Legal Officer