



SUPERINTENDENT OF PUBLIC INSTRUCTION

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IN THE MATTER OF THE EDUCATION)	
CERTIFICATE OF)	OPP No. D19-02-010
)	
JENNIFER RICHTER)	FINAL ORDER
Certificate No. 541142F)	OF MANDATORY
)	PERMANENT REVOCATION
)	

After receiving and investigating a complaint from Thorp 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 JENNIFER RICHTER (“Educator”) demonstrated a lack of good moral character and personal fitness pursuant to WAC 181-86-013 and committed acts of unprofessional conduct pursuant to WAC 181-87-080, and does hereby PERMANENTLY REVOKE the Educator’s Washington Education Certificate No. 541142F, 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 12, 2017, the Educator was issued Washington Education Certificate No. 541142F. The Educator’s certificate will expire on June 30, 2019.
2. During the 2018–2019 school year, the Educator was employed by the School District at Thorp Elementary and Junior Senior High School as the Art teacher.

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3. On January 28, 2019, the Office of Professional Practices (“OPP”) within the Office of Superintendent of Public Instruction (“OSPI”) received a complaint from Andrew Perkins, the Superintendent of the School District, alleging that the Educator committed acts of unprofessional conduct pursuant to WAC 181-87-080 and pleaded guilty to six (6) counts of Rape of a Child in the Third Degree.
4. On September 8, 2018, Kittitas County Sheriff’s Office deputies responded to a suspicious vehicle complaint and were advised there was an older female with a juvenile in the car.
5. After a police investigation was conducted, it was revealed that the Educator had engaged in sexual intercourse with a fourteen-year-old (14) former student (“Student A”) approximately six (6) times over the course of a month. During this time the Educator was forty-three (43) years old.
6. As well as being a former student, Student A was also a friend of the Educator’s own children.
7. On September 11, 2018, the Educator was placed on Administrative Leave.
8. On December 4, 2018, the Educator pleaded guilty to six (6) counts of Rape of a Child in the Third Degree.
9. On December 17, 2018, the Educator was terminated by the School District pursuant to RCW 28A.400.322.
10. On March 1, 2019, the Educator was sentenced under RCW 9.94A.670 and given a Special Sex Offender Sentencing Alternative (SSOSA). She was ordered to complete nine (9) months confinement for each count, served concurrently, and complete a sex offender treatment program, among other conditions.

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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 of this action.

3. Pursuant to WAC 181-86-070, there is clear and convincing evidence the Educator has pleaded guilty to or has been convicted of a crime specified in RCW 28A.410.090(4).

4. Pursuant to RCW 28A.410.090(4) and WAC 181-86-013(1), a plea of guilty or a conviction of Rape of a Child in the Third Degree, RCW 9A.44.079, bars the certificate holder from any future practice as an education practitioner and mandates OSPI to permanently revoke the Educator's certificate. Even if the crimes against children committed by the Educator did not mandate a revocation, an analysis of the Educator's conduct under the eleven factors enumerated in WAC 181-86-080 supports a permanent revocation.

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5. Pursuant to WAC 181-86-080, eleven 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.

6. 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, RCW 28A.410.090(4), WAC 181-87 and WAC 181-86, the Educator's education certificate should be permanently revoked for demonstrating a lack of good moral character and personal fitness pursuant to WAC 181-86-013(1), committing an act of unprofessional conduct pursuant to WAC 181-87-080, and committing a felony crime under RCW 28A.410.090(4) which bars the Educator from any future practice as an educator.

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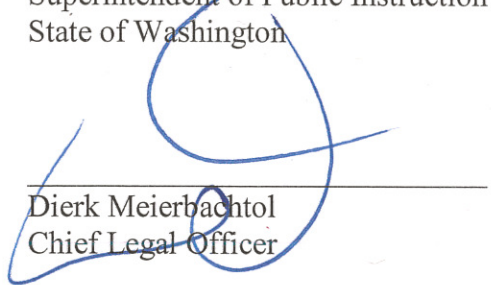
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III. ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate No. 541142F of JENNIFER RICHTER is **PERMANENTLY REVOKED**.

DATED this 7th day of May, 2019.

CHRIS REYKDAL
Superintendent of Public Instruction
State of Washington



Dierk Meierbachtol
Chief Legal Officer