



SUPERINTENDENT OF PUBLIC INSTRUCTION

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IN THE MATTER OF THE EDUCATION)	
CERTIFICATE OF)	OPP No. D18-07-073
)	
WESLEY PEREZ)	FINAL ORDER
Certificate No. 487101H)	OF MANDATORY
)	PERMANENT REVOCATION
)	

After receiving and investigating a complaint from Mead 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 WESLEY PEREZ (“Educator”) demonstrated a lack of good moral character and personal fitness pursuant to WAC 181-86-013 and WAC 181-86-014, and committed acts of unprofessional conduct pursuant to WAC 181-87-060 and WAC 181-87-080, and does hereby PERMANENTLY REVOKE the Educator’s Washington Education Certificate No. 487101H, 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 February 6, 2012, the Educator was issued Washington Education Certificate No. 487101H. The Educator’s certificate expired on June 30, 2019.
2. During the 2017–2018 school year, the Educator was employed by the School District at Mead High School as a Spanish teacher.

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3. On July 19, 2018, the Office of Professional Practices (“OPP”) within the Office of Superintendent of Public Instruction (“OSPI”) received a complaint from Tom Rockefeller, Superintendent of the School District, alleging the Educator may have committed acts of unprofessional conduct pursuant to WAC 181-87.

4. On April 19, 2018, the School District put the Educator on Administrative Leave with Pay and provided him a Notice of Investigation into the allegations of unprofessional and sexual misconduct toward a student.

5. On May 13, 2019, the Educator pleaded guilty to one count of Sexual Misconduct in the First Degree, RCW 9A.44.093(1)(B), a class C felony. The Educator was originally charged with Sexual Misconduct with a Minor in the First Degree and Communication with a Minor for Immoral Purposes.

6. From at least March 1, 2017, and February 28, 2018, the Educator engaged in a sexual relationship with a minor female student. The official version of the offense is described in the Pre-Sentence Investigation report.

7. On June 28, 2019, the Educator was convicted, via plea of guilty, to Sexual Misconduct in the First Degree, RCW 9A.44.093(1), sentenced to 12 months imprisonment and 12 months community custody, ordered to pay restitution of \$7,547.33, and required to register as a sex offender.

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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 181-86-170, there is clear and convincing evidence the Educator has: pleaded guilty to a crime specified in RCW 28A.410.090(4); committed acts of unprofessional conduct pursuant to WAC 181-87-060 and WAC 181-87-080; and demonstrated a lack of good moral character and personal fitness pursuant to WAC 181-86-013 and WAC 181-86-014.
4. Pursuant to RCW 28A.410.090(4), WAC 181-86-013, and WAC 181-86-014, a plea of guilty or a conviction of Sexual Misconduct in the First Degree, RCW 9A.44.093(1)(B), bars the certificate holder from any future practice as an education practitioner and requires OSPI to permanently revoke the Educator's certificate.

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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, WAC 181-86-170, RCW 28A.410.090(4), WAC 181-87-060, WAC 181-87-080, WAC 181-86-013 and WAC 181-86-014, 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 and WAC 181-86-014, for committing acts of unprofessional conduct pursuant to WAC 181-87-060 and WAC 181-87-080, and for pleading guilty to a felony crime under RCW 28A.410.090(4) which bars the Educator from any future practice as an educator.

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III. ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate No. 487101H of WESLEY PEREZ is **PERMANENTLY REVOKED**.

DATED this 28th day of January, 2020.

CHRIS REYKDAL
Superintendent of Public Instruction
State of Washington



Dierk Meierbachtol
Chief Legal Officer