



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. D09-03-026
)	
)	AGREED ORDER
JEFFREY POPPE)	OF SUSPENSION
Certificate No. 258990A)	
_____)	

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 Jeffrey Poppe, that the Washington Education Certificate, No.258990A, of Jeffrey Poppe, shall be suspended, based on the Findings of Fact and Conclusions of Law set forth below:

FINDING OF FACTS

1. Jeffrey Poppe was issued a Washington Education Certificate, No. 258990A, on February 2, 1984. That certificate currently remains valid.

2. Jeffrey Poppe was employed by the Skykomish School District.

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3. On June 18, 2007, the Office of Professional Practices (OPP), within OSPI, received a complaint letter alleging a lack of personal fitness, or a violation of the Code of Professional Conduct, Washington Administrative Code (WAC) 181-87-060, by Jeffrey Poppe.

4. On May 13, 2009, OPP received a second formal complaint from the Skykomish Public School District alleging a violation of WAC 181-87-060, Disregard of Abandonment of Generally Recognized Professional Standards.

5. On February 28, 1996, Connie Adams, Skykomish School District Superintendent, sent Jeffrey Poppe a Staff Memo re: Student Concern. The Staff Memo was issued after discussions that Jeffrey Poppe had told a student to "shut up"; received a student complaint about racial jokes in class; and confronted the class about the complaint that he had made a racial joke.

6. On March 24, 1997, Connie Adams issued Jeffrey Poppe a Staff Memo re: Documentation of Counseling. The Staff Memo was issued after Jeffrey Poppe refused to allow a medically fragile student to get a drink of water during a P.E. class.

7. On December 2, 1997, Rainer Houser sent Connie Adams' letter regarding Mr. Houser's student interviews at Skykomish High School. Mr. Houser states that Jeffrey Poppe was "identified with abusing the application of the disciplinary code as well as allegedly making inappropriate comments to students."

8. On February 25, 1998, Jeffrey Poppe received a letter from Terry Lindquist, Superintendent of the Puget Sound Educational District, explaining the outcome of his investigation regarding several student, staff and parent complaints against Jeffrey Poppe.

9. On November 23, 1999, Dennis Carlson, superintendent of Skykomish School District, issued a Memo to Jeffrey Poppe, stating that "[e]ngaging in discussions with students that can best be classified as gossip is not acceptable behavior for a professional."

10. During the 2003-2004 school year, C.W., a 7th grade male student, accidentally hit Jeffrey Poppe with a wiffle ball during PE class. Jeffrey Poppe told C.W. to stand with his back to Jeffrey Poppe and threw the wiffle ball at C.W.'s back.

11. On April 12, 2004, Jeffrey Poppe inappropriately grabbed C.W. and K.W., 7th grade male students and confronted them after a soccer ball struck him. William Higgins, Skykomish School District Superintendent, investigated the incident and did not take disciplinary action with Jeffrey Poppe.

12. On September 8, 2004, Desiree Gould, Skykomish School District Superintendent, issued Jeffrey Poppe a Verbal Warning "that you may not react over aggressively toward students in anger, and physically grabbing students is not to be tolerated".

13. On December 10, 2004, Jeffrey Poppe was issued a Verbal Warning, by Desiree Gould, for talking to students about: a) abortions; b) a woman who cut the arms of her child; and c) a president that was "horny" and called prostitutes.

14. From 2002 through 2005, Jeffrey Poppe made inappropriate comments to and about overweight students.

15. During the 2003-2004 and 2004-2005 school years, Jeffrey Poppe made inappropriate comments to and about and inappropriately disciplined M.B., a Skykomish School District student.

16. On March 9, 2005, Jeffrey Poppe was issued a Written Reprimand by Desiree Gould for making demeaning comments to students and creating an intimidating or threatening educational environment for students. Jeffrey Poppe was directed to utilize the Plan of Improvement attached to the Written Reprimand. Jeffrey Poppe was also required to attend a discipline class; which he did complete.

17. On January 10, 2006, Jeffrey Poppe had a conversation with A.Z., a female student about her African American boyfriend being a "gangster" and a "bad boy." That conversation annoyed A.Z. because she felt Jeffrey Poppe was stereotyping her boyfriend. Jeffrey Poppe was verbally redirected, by Desiree Gould, again because his actions were in contravention of expectations in his March 9, 2005 plan of improvement.

18. In November 2006, Jeffrey Poppe called M.O., an 11th grade female student, immature in front of the class, and accused her of whining and having tantrums like her father. Around the same time, Jeffrey Poppe asked students in his class to raise their hands if they were on DSHS coupons.

19. On December 7, 2006, Jeffrey Poppe received a letter from Desiree Gould, summarizing their talk that occurred on December 1, 2006. Desiree Gould discussed Jeffrey Poppe's treatment of students and referring to the Plan of Improvement she had placed him on in April 2005. Desiree Gould informed Jeffrey Poppe that she would be spending more time in his classroom to better understand the teacher/student dynamics that were occurring.

20. During the 2006-2007 school year, Jeffrey Poppe made comments to high school students about, among other topics, racial prejudices and the welfare system.

21. On February 7, 2007, Desiree Gould gave Jeffrey Poppe written notice of the allegations of inappropriate comments and asked him to attend a meeting with her. Jeffrey Poppe took this letter back to his classroom, read it to his class, and pointed out that M.O., a female high school student, was responsible for making the complaint against him. M.O. felt threatened and intimidated and felt that Jeffrey Poppe was retaliating against her. Desiree Gould and Jeffrey Poppe met on February 8, 2007.

22. On April 30, 2007, Jeffrey Poppe was issued a one-day suspension with pay, by Desiree Gould, for bringing up topics of discussion in his history classroom that were offensive and inappropriate.

23. Beginning with the 2005-2006 school year to April, 2008, Jeffrey Poppe had inappropriate non-sexual contact with elementary school age students. Jeffrey Poppe had been spoken to/about his behavior by staff and a prior student, however, continued the behavior.

24. On December 7, 2007, Jeffrey Poppe, through his attorney, was provided a list of questions, from an OPP investigator, to answer regarding allegations of misconduct. On November 12, 2009, through his attorney, Jeffrey Poppe provided OPP an unsigned statement.

25. In April 2008 Jeffrey Poppe caused two testing irregularities by failing to follow protocols while giving the state's WASL test to his 8th grade class. This failure to follow test protocol caused OSPI to investigate the validity of the test results but OSPI did not invalidate the WASL tests results.

26. During the 2007-2008 school year, Jeffrey Poppe made inappropriate comments to and had inappropriate interactions with four 5th and 6th grade female students.

27. On April 28, 2008, Jeffrey Poppe was placed on paid administrative leave.

28. On April 28, 2008, the Skykomish School District, through their attorney, Karen Simmonds of K&L Gates, retained Richard Kaiser, attorney at law, to investigate allegations that Jeffrey Poppe had engaged in unwelcome conduct that may violate District policies and generally recognized professional standards. On May 8, 2008, Jeffrey Poppe participated in an interview with Richard Kaiser. After completing his investigation, Richard Kaiser submitted an investigative report to Karen Simmonds.

29. On June 26, 2008, the Skykomish School District issued a Notice of Probable Cause for Discharge to Jeffrey Poppe.

30. On July 24, 2008, Jeffrey Poppe filed a grievance on the Notice of Probable Cause.

31. On October 2, 2008, Superintendent Desiree Gould sent a letter titled "Notice of Effective Date of Termination" to Jeffrey Poppe. Jeffrey Poppe was informed that the Skykomish School board ratified its prior decision to terminate his employment, "effective immediately". Superintendent Desiree Gould also informed Jeffrey Poppe that his last day of employment with the District was September 30, 2008.

32. On June 10, 2009, Jeffrey Poppe signed a Settlement Agreement with the Skykomish School District.

33. On November 12, 2009, Jeffrey Poppe was interviewed by OPP incident to this matter, and subsequently provided a statement concerning the allegations asserted herein. Mr. Poppe's position concerning the allegations asserted herein is set forth in his interview statement. While Mr. Poppe disputes and/or disagrees with many of the allegations contained herein, on his part, this order is entered into for the purpose of resolving and bringing to a close this matter.

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

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Jeffrey Poppe and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence that the Washington Education Certificate, No. 258990A, of Jeffrey Poppe, should be suspended as provided for in WAC 181-86-070.

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

ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate, No. 258990A, of Jeffrey Poppe be suspended for two (2) months.

Reinstatement will require successful completion of boundary issue training, to be provided through Washington Education Association's class/seminar titled "Safer Relationships with Students" and mutually agreed upon training pertaining to racial relations and equity. The cost of conformance to all reinstatement requirements will be the responsibility of Jeffrey Poppe.

AND Reinstatement shall (also) require submission of a new application, including Character and Fitness Supplement, provided by OPP and having Jeffrey Poppe's fingerprints be checked by both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP). Reinstatement shall be also contingent upon Jeffrey Poppe'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.

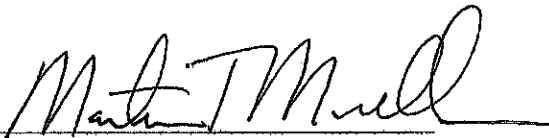
DATED This 24th day of November, 2010.

RANDY I. DORN
Superintendent of Public Instruction
State of Washington

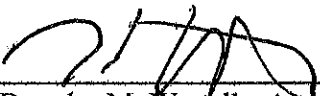
Stipulated to and approved
For entry:



Jeffrey Poppe, Respondent



Martin T. Mueller
Assistant Superintendent
Student Support



Douglas M. Wartelle, Attorney for Respondent
WSBA #25267

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