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## SUPERINTENDENT OF PUBLIC INSTRUCTION

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

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RE: Avery Ironhill  
OSPI Case Number: D17-04-035  
Document: Final Order of Suspension

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](mailto: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.



# SUPERINTENDENT OF PUBLIC INSTRUCTION

CHRIS REYKDAL 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. D17-04-035
	)	
AVERY IRONHILL	)	FINAL ORDER
Certificate No. 486410D	)	OF SUSPENSION
_____	)	

UNDER THE AUTHORITY granted by the laws of the state of Washington, and after reviewing the file; conducting the “informal meeting” provided for in WAC 181-86-145; considering the evidence, the written submissions, and oral arguments of the parties; and considering the discussion and input provided by the Admissions and Professional Conduct Advisory Committee, the Superintendent of Public Instruction, through his designated Review Officer, Dr. Walt Bigby, enters this Order of Suspension based on the following Findings of Fact and Conclusions of Law:

## I. FINDINGS OF FACT

1. On December 23, 2011, the Educator, was issued a Washington Emergency Substitute Education Certificate, No. 486410D. The Educator’s Emergency Substitute certificate expired on June 30, 2017.
2. The Educator was employed as a substitute teacher by the School District at various schools within the School District, beginning in December 2011 and ending in February 2017.
3. From the 2014–2015 through the 2016–2017 school year, the Educator was also a contracted employee for various coaching positions throughout the School District.

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AVERY IRONHILL  
FINAL ORDER OF SUSPENSION

4. On April 14, 2017, the Office of Professional Practices (“OPP”) within the Office of Superintendent of Public Instruction (“OSPI”) received a complaint from Diane Reaume, the Superintendent of the School District, alleging that the Educator has committed unprofessional conduct pursuant to WAC 181-87 for failing to maintain professional boundaries.

5. The Educator has not had any previous disciplinary action with OPP.

6. During the 2012–2013 or 2013–2014 school year, Parent A hired the Educator to serve as a tutor for her daughter, Student A.

7. Parent A later canceled the tutoring sessions, although the rationale for that decision is disputed.

8. During Student A’s time as a student at Forks High School, the Educator had inappropriate interactions with Student A. Specific examples of conduct that demonstrated the Educator did not maintain professional boundaries with Student A include:

a. While working as a substitute teacher at Forks High School, the Educator showed Student A an image from her cell phone. The image was of a nude man using a shampoo bottle to conceal his genitalia

b. The Educator, after a related discussion with Student A, twice offered to help Student A obtain birth control without her parents’ knowledge or approval.

c. The Educator spoke with Student A about her thoughts and feelings regarding another student, Student B, being in a dating relationship.

d. The Educator offered to purchase/provide alcohol for Student A. One of these occasions occurred when the Educator was in the school serving in a certificated position.

9. Towards the end of the 2013–2014 school year, the Educator, then 26 or 27 years of age, became acquainted with Parent B. Parent B was the mother of three students in the School District, including Student B.

10. The Educator and Parent B became friends towards the end of the 2013–2014 school year and beginning of the summer months of 2014.

11. During the 2014–2015, 2015–2016, and 2016–2017 school years, the Educator served as a substitute teacher at the School District school buildings, including Forks High School, and served as a coach for the high school varsity fast-pitch softball team.

a. During these school years, the Educator served as a substitute teacher in Student B’s classes.

b. During these school years, Students A and B were students at Forks High School and members of the varsity fast-pitch team.

12. As part of her School District substitute teacher and coach training, the Educator completed SafeSchools online trainings of Boundary Invasion, Sexual Misconduct: Staff to Student, and What Every Coach Needs to Know.

13. During the summer months of 2014, Student B and the Educator began developing a peer-like friendship.

14. From in or around April 2015 through mid-summer of 2016, the Educator lived with Student B’s grandmother, whose residence was adjacent to Parent B’s residence.

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15. Through the 2014–2015 and 2015–2016 school years, the Educator and Student B engaged in a peer-like friendship. The Educator inappropriately became involved in almost all aspects of Student B’s school and personal life. Specific examples of conduct that demonstrated the Educator did not maintain professional boundaries with Student B include:

a. Inappropriate conversations and discussions regarding Student B’s friends and boyfriend. According to Student B, the Educator often made her feel guilty when she chose to spend time with her friends or boyfriend instead of the Educator. The Educator also asked Student B if she was engaging in sexual activity with her boyfriend and for information about the kinds of sexual activity they engaged in.

b. Starting in the 2015–2016 school year, the Educator slept in the same bed as Student B on multiple occasions.

c. Starting during the 2015 softball season, through the 2015–2016 school year, and most of the 2016–2017 school years, the Educator and Student B sent each other numerous text messages. The content of the text messages were occasionally related to the Educator’s role as a coach for the teams that Student B participated in. The vast majority of the text messages, however, were of a personal nature. The Educator would regularly send text messages to Student B during school hours.

d. Prior to Student B receiving her driver’s license, the Educator would often drive Student B to Student B’s outings with age-level friends, including dates Student B had with age-level male students.

e. The Educator was physically affectionate towards Student B in public places, school settings, and other locations.

f. In school, while the Educator was serving as a substitute teacher, the Educator offered to purchase alcohol for Student B.

- g. In the early part of 2016, Parent B asked the Educator to stop sleeping in the same bed as Student B, and the Educator eventually did stop this practice.
16. Through the 2015–2016 and 2016–2017 school years, the Educator engaged in inappropriate interactions with Forks High School students, including Student A and Student B. Specific examples of conduct that demonstrated the Educator did not maintain professional boundaries include:
- a. During Fall 2015, the Educator transported Student A and Student B to Tacoma, Washington, from Forks, Washington, to go dress shopping for an upcoming school dance. According to Student B, while she was changing clothes, the Educator opened the curtain to the dressing room while Student B was partially clothed.
- b. In December 2015 or January 2016, the Educator volunteered to drive Student B, Student A, and another female student to Port Angeles, Washington, from Forks, Washington, for their driver’s education class. During one of the trips back from Port Angeles on US Highway 101, around 8 or 9 p.m., the Educator, at the students’ prompting, drove at 100 miles per hour for an unknown distance.
- c. The Educator, on more than one occasion, attended a bonfire with Forks High School students on a Forks area beach.
- d. At one of the bonfires attended by Forks High School fast-pitch softball players during the 2015–2016 school year, the Educator played “Truth or Dare” and told the students about a prior sexual experience. The Educator was the head coach for the fast-pitch team at the time.
- e. On at least one occasion during the 2016–2017 school year, the Educator went to the local indoor swimming pool after hours with Forks High School students, including Student B, and swam and played in the pool with the high school students.

- f. During the 2016–2017 school year, the Educator entered the residence and bedroom of Student C, a 12th grade male student and Student B’s boyfriend, early in the morning, more than once, to wake him up so Student C could use the gym while the Educator monitored him.
17. During the summer of 2016, Parent B asked the Educator to distance herself from Student B and stop communicating and interacting with her. The Educator agreed but also communicated with Parent B, asking when she could see Student B.
18. In February 2017, after being requested by Parent B to the Educator to stop attempting to have contact with Student B, and the Educator continuing to contact Student B, Parent B contacted Forks High School Principal Cindy Feasel.
19. On or about February 15, 2017, Superintendent Reaume sent the Educator a letter notifying the Educator that a report of alleged inappropriate communication and boundary invasion had been made against her and that the School District was initiating an investigation into the allegations.
20. On or about March 19, 2017, the School District received an investigative report, completed by investigator and attorney, Richard H. Kaiser. The report included witness statements and statements from the Educator that were consistent with the allegations made against the Educator.
21. On or about April 11, 2017, the School District provided the Educator with a notification letter, informing the Educator about the results of the investigation. The purpose of the letter was to also notify the Educator that she would no longer be employed by the School District as a substitute teacher. The letter further stated that the Educator’s current contract as a fast-pitch assistant coach would be paid but that she would no longer be allowed to perform any duties as coach and future supplemental contracts for coaching would not be renewed. The Educator verbally requested an appeal of the decision to Superintendent Reaume on April 11, 2017.



22. After being notified she was being removed as a fast-pitch coach, the Educator sent a group text to all the fast-pitch players, except Student B, during a practice. Included in the message, the Educator said that she would “always be here for you if you need or want. Whether it be a college athletic profile, scholarship, homework, boyfriend, friend, money, or other issue, I’ll be here to help or even just to listen, from now until whenever” and “I kinda think I’m a mom without kids, or a big sister without a little one....”

23. On or about April 14, 2017, the School District provided the Educator with a letter informing her of the appeal process and her appeal rights. The Educator appealed the decision to the School District’s school board within the timeframe for appeal, and a hearing was held on April 18, 2017.

24. On or about April 20, 2017, the School District provided the Educator with a letter to inform her that the Board of Directors for the School District upheld the School District’s decision to terminate her employment with the School District.

25. On April 24, 2017, after her employment contract was terminated by the School District, the Educator sent a text message to Student B. Within the message, the Educator stated, “This is all crazy messy, but my hope for you is that someday this won’t weigh heavy on your heart, hopefully sooner than later, in whatever way that may happen”, and, “Someday I’m sure we can have a conversation to clarify things. I know you can’t really think those terrible things of me or you wouldn’t have continued to reach out”.

26. On or about September 28, 2017, Parent B filed an Anti-Harassment Action in Clallam County District, Case No. Y17-00827, on behalf of her minor daughter, Student B.

27. On or about October 27, 2017, Case No. Y17-00827 in Clallam County District Court was transferred to Clallam County Superior Court, Case No. 17-2-00895-1.

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28. On or about December 11, 2017, Clallam County Superior Court granted an Order for Protection from Civil Harassment in Case No. 17-2-00895-1. The protection order will expire on December 11, 2018.

29. As of the date of this order, the Educator is not employed as a teacher in the state of Washington.

## 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. The Educator committed acts of unprofessional conduct pursuant to WAC 181-87-60(1).

4. There is clear and convincing evidence that the Educator committed acts of unprofessional conduct pursuant to WAC 181-86-170.

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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 181-86-070 and WAC 181-87-60(1), the Educator's education certificate should be suspended for unprofessional conduct.

### III. ORDER

THEREFORE, it is hereby ordered that the Educator's ability to apply for reinstatement of expired Washington Education Certificate, No. 486410D of AVERY IRONHILL is **SUSPENDED** for at least nine (9) months from the effective date of this ORDER.

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**REINSTATEMENT** of Avery Ironhill's education certificate shall require:

- (1) In addition to any mandatory education requirements, the Educator must successfully complete an in-person course on MAINTAINING APPROPRIATE BOUNDARIES, preapproved by OSPI. The Educator will provide proof of completion of the course prior to requesting reinstatement;
- (2) The Educator must complete a psychological evaluation by a mutually agreed upon licensed Psychiatrist. If treatment is recommended, the Educator must successfully complete any and all recommended treatment. The Educator cannot apply for certification until all recommended treatment has been successfully completed and the original evaluator determines that the Educator is safe to be with children in an unsupervised capacity;
- (3) The Educator must submit a new application, including Character and Fitness Supplement, provided by OPP;
- (4) The Educator must complete a fingerprint-based criminal background check through both the Federal Bureau of Investigation and the Washington State Patrol;
- (5) The Educator's fingerprint background check must return with no criminal convictions occurring after the date of issuance of a Final Order of Suspension, that are listed in WAC 181-86-013, RCW 28A.410.090, or any felony convictions;
- (6) The Educator shall assume all costs of complying with the requirements of this Order.

*This order becomes final thirty (30) days after the postmarked date of mailing unless OSPI receives the certificate holder's written appeal within the thirty (30) day period. Appeals should be addressed to:*

Office of Superintendent of Public Instruction  
Administrative Resource Services  
PO Box 47200  
Olympia, WA 98504

DATED this 18<sup>th</sup> day of November, 2018.

CHRIS REYKDAL  
Superintendent of Public Instruction  
State of Washington

  
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Dr. Walt Bigby  
Review Officer