



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. D22-09-049
)	
EDGAR MENDEZ)	FINAL ORDER
Certificate No. 528953C)	OF REVOCATION
)	

After receiving and investigating a complaint from North Franklin 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 EDGAR MENDEZ (“Educator”) engaged in acts of unprofessional conduct to include Washington Administrative Code (“WAC”) 181-87-080, WAC 181-87-060, and WAC 181-87-062, and does hereby REVOKE the Educator’s Washington Education Certificate No. 528953C based on the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. On April 19, 2016, the Educator was issued Washington Education Certificate No. 528953C. The Educator has a substitute teaching certificate that does not expire.
2. During the 2021-22 school year, the Educator was employed by the School District at Robert Olds Junior High as a Spanish Language teacher.

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EDGAR MENDEZ
 FINAL ORDER OF REVOCATION

3. On August 22, 2022, the Office of Professional Practices (“OPP”) within the Office of Superintendent of Public Instruction (“OSPI”) received a complaint from Jim Jacobs, the Superintendent of the School District, alleging that the Educator had committed unprofessional conduct pursuant to WAC 181-87 for making sexual comments to a student and for inappropriate touching of a student, and he lacks good moral character and personal fitness pursuant to WAC 181-86-013 and WAC 181-86-014.

4. During the 2019-20 school year, the Educator made inappropriate sexual comments to Student A, an 8th grade female student. Comments included, but are not limited to:

- a. “When are we going to fuck”;
- b. She needed sex from him or a man so that she would not like girls and would not be confused;

5. During the 2021-22 school year, the Educator made inappropriate sexual comments to Student B, an 8th grade female student. Comments included, but are not limited to:

- a. “Someone needs to fuck the sexuality out of you”;
- b. “Your ass looks fat when you sit down”;
- c. “I saw you when you were writing on the white board, your dress kind of came up and dude, you look thick”;
- d. “You look thick from the back;” and,
- e. “You are not even gay, all you need is dick.”

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6. During the 2021-22 school year, the Educator made multiple verbal sexual advances to Student B. Comments included, but are not limited to:

- a. “All you need is some dick; I’ll fuck the Bi out of you”;
- b. “You should practice sucking dick on a banana and record it and send it to me on Snapchat”; and,
- c. “You need some dick, if I was your age, I would give you dick”;

7. During the 2021-22 school year, the Educator sent Student B non-educational inappropriate electronic messages.

8. During the 2021-22 school year, the Educator had inappropriate physical interactions with students, including, but not limited to:

- a. Biting a student on the forearm;
- b. Touching female students’ hair and commenting on their hair;
- c. Placing his hand on female students’ lower back and upper hip area;
- d. Allowing female student/s to sit on his lap;

9. On or about May 18, 2022, as Student B was laying on the Educator’s classroom floor, the Educator touched Student B on her bottom and told her that she looked “thick”.

10. On or about May 20, 2022, Student B was seated in a chair. The Educator sat in front of Student A and rubbed her thighs. He then spun her chair around and after Student B stopped spinning, he placed her legs in his lap. Student A attempted to remove her legs and the Educator returned her legs on to his lap until Student B kicked him.

11. On July 26, 2022, the Educator was placed on administrative leave.

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12. On August 16, 2022, a Criminal Complaint was filed in North Franklin District Court charging the Educator with Assault 4th Degree with Sexual Motivation enhancement, Revised Code of Washington (“RCW”) 9A.36.041, and Communication with a Minor for Immoral Purposes, RCW 9.68A.090(1).

13. On September 14, 2022, North Franklin District Court issued an Order of Protection which, among other conditions, prohibited the Educator from being within 250 feet of Robert Olds Junior High School.

14. On May 12, 2023, the District issued the Educator a Notice of Non-Renewal. The Educator filed a timely appeal.

15. On July 24, 2023, the Notice of Non-Renewal was upheld.

16. On December 13, 2023, a Stipulated Order of Continuance (“SOC”) was filed in Franklin County District Court for the Educator’s criminal matter. Per the SOC, the Educator waived certain rights, including the right to be presumed innocent until charges are proven beyond a reasonable doubt and the right to question witnesses who could testify against him. The SOC continued the criminal matter for a period of two (2) years under conditions that the educator:

- a. Pay \$1,200 monitoring fee;
- b. Obtain a Sexual Psychological Evaluations and follow any recommended treatment;
- c. Obey the Protection Order;
- d. Have no criminal offenses of any kind;
- e. Have no contact with Student A;
- f. Comply with all Probation conditions; and,
- g. Have no employment in any position working with minors.

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17. On January 10, 2024, Matthew Cummings, Certified Sex Offender Treatment Provider, issued a report of his sexual psychological evaluation of the Educator. Within the report, among other comments, Mr. Cummings recommended that the Educator immediately enroll in, at least a one-year program conducted by a Washington State Certified Sex Offender Treatment Provider and follow a specified treatment plan/contract.

18. On January 28, 2024, the Educator participated in an interview with OPP. During his interview, the Educator denied making any inappropriate sexual themed comments to Student A or any student and denied making any sexually motivated physical contact with Student A or any student.

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 WAC further implement OSPI's authority.

2. OSPI has jurisdiction over the Educator and the subject matter of this action.

3. Pursuant to WAC 181-86-175 and WAC 181-87-060, WAC 181-87-062, and WAC 181-87-080, there is clear and convincing evidence the Educator committed acts of unprofessional conduct pursuant when he made multiple verbal sexual advances to a student, made multiple inappropriate comments to a student, and when he touched a female student on the buttocks for sexual motivation.

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4. Pursuant to WAC 181-86-013 and WAC 181-86-014, there is clear and convincing evidence the Educator lacks the good moral character and/or personal fitness necessary to serve as a certificated employee in schools in the state of Washington, including the character and personal fitness to have contact with, to teach, and to perform supervision of children.

5. Pursuant to WAC 181-86-075, a revocation is appropriate discipline when (2) the superintendent of public instruction has determined that the education practitioner has determined the education practitioner has committed an act of unprofessional conduct or lacks good moral character or personal fitness and revocation is appropriate.

6. 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.

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, WAC 181-87-060, WAC 181-87-062, and WAC 181-87-080, WAC 181-86-013 and WAC 181-86-014, the Educator's education certificate should be revoked for unprofessional conduct and/lack of good moral character and personal fitness.

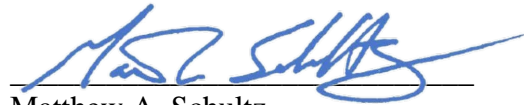
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III. ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate No. 528953C of EDGAR MENDEZ is **REVOKED**.

DATED this _____ 10th _____ day of _____ June _____, 2024.

CHRIS REYKDAL
Superintendent of Public Instruction
State of Washington



Matthew A. Schultz
Chief Legal and Civil Rights Officer