



SUPERINTENDENT OF PUBLIC INSTRUCTION

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IN THE MATTER OF THE EDUCATION)	
CERTIFICATE OF)	OPP No. D24-01-008
)	
JOSEPH BYRD)	FINAL ORDER
Certificate No. 562409C)	OF MANDATORY
)	PERMANENT REVOCATION
)	

After receiving and investigating a complaint from Kent School District regarding the above referenced Educator, the Superintendent of Public Instruction, through his undersigned designee, institutes this proceeding and finds that JOSEPH BYRD (“Educator”) has been convicted of a crime listed in Revised Code of Washington (RCW) 28A.400.322 and per RCW 28A.410.090(4) does hereby PERMANENTLY REVOKE Washington Education Certificate No. 562409C, and does hereby PERMANENTLY REVOKE the Educator’s ability to apply for reinstatement based on the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. On September 5, 2019, the Educator was issued Washington Education Certificate No. 562409C. The Educator’s certificate expired on June 30, 2023. The facts describing the misconduct and criminal offenses occurred while the certificate was valid.

2. During the 2021–22 school year, the Educator was employed by the School District at Kentwood High School as a JROTC teacher.

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3. On January 23, 2024, the Office of Professional Practices (“OPP”) within the Office of Superintendent of Public Instruction (“OSPI”) received a complaint from Israel Vela, the Superintendent of the School District alleging that the Educator committed an act of unprofessional conduct pursuant to WAC 181-87-080.
4. Between April 2022 and May 2022, the Educator began an unprofessional relationship with Student A, a 15-year-old female student.
5. On or about April 29, 2022, the Educator had sexual intercourse, through digital means, with Student A. The Educator also had sexual contact with Student A.
6. Between April 2022 and May 2022, the Educator sent Student A sexual themed text messages.
7. On May 4, 2022, the Educator was placed on administrative leave by the School District.
8. On June 10, 2022, the Educator resigned his employment from the School District.
9. On June 13, 2022, an Information and Certification for Determination of Probable Cause were filed in King County Superior Court charging the Educator with Rape of a Child 3rd Degree, RCW 9A.44.079, and Communication with a Minor for Immoral Purposes, RCW 9.68A.090(2).
10. On October 17, 2023, the Educator signed a Statement of Defendant on Plea of Guilty pleading guilty to a charge of Communication with a Minor for Immoral Purposes, RCW 9.68A.090(2).
11. On January 12, 2024, a Judgment and Sentence was filed in King County Superior Court. The Educator was found guilty, by plea, of Communication with a Minor for Immoral Purposes, RCW 9.68A.090(2) and sentenced to two (2) months confinement, twelve (12) months community custody and sex offender registration requirements.

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II. CONCLUSIONS OF LAW

1. RCW Chapter 28A.410 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), (2), a plea of guilty or a conviction of Communication with a Minor for Immoral Purposes-felony, RCW 9.68A.090(2) mandates OSPI to permanently revoke the Educator's certificate.
5. Pursuant to WAC 181-86-170, WAC 181-86-013(4), and WAC 181-86-014, there is clear and convincing evidence the Educator has a behavioral problem that endangers the educational welfare or personal safety of students.
6. Pursuant to WAC 181-86-075, permanent revocation is appropriate discipline when (1) the superintendent of public instruction has determined that the education practitioner has committed a felony crime under WAC 181-86-013 (1) or (2) which bars the education practitioner from any future practice as an education practitioner.

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7. 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.

8. 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), 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 181-87-060, WAC 181-87-062, WAC 181-87-080, and being convicted of a felony crime under RCW 28A.410.090(4).

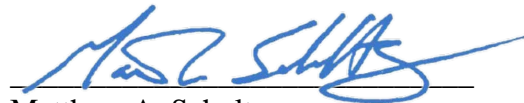
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III. ORDER

THEREFORE, it is hereby ordered that Washington Education Certificate No. 562409C and JOSEPH BYRD's ability to hold a Washington Education Certificate is **PERMANENTLY REVOKED**.

DATED this 15th day of November, 2024.

CHRIS REYKDAL
Superintendent of Public Instruction
State of Washington



Matthew A. Schultz
Chief Legal and Civil Rights Officer