

OPP No. D22-11-058

AGREED ORDER OF SUSPENSION

I. FINDINGS OF FACT

- EUNISSA JACKSON
 AGREED ORDER OF SUSPENSION

4. On September 28, 2020, and on September 17, 2021, the Educator completed a sixty-six (66) minute online course titled, "What Every Employee Must Be Told". This course includes instruction on a professional school employee's mandated responsibility to report suspected abuse or neglect of a child per Revised Code of Washington (RCW) 26.44.030.
5. Student A was enrolled in the Bethel Virtual Academy during the 2020-2021 school year and at Spanaway Middle School for the 2021-2022 school year. Both schools are schools within the School District.
6. Student A is the Educator's sister and attended Bethel Virtual Academy classes while at the Educator's residence.
7. On October 12, 2021, Student A reported to Pierce County Sheriff's Office that she had been sexually assaulted by Mr. Jackson. Pierce County Sheriff's Office initiated an investigation.
8. During a forensic interview conducted as part of Pierce County Sheriff's Office investigation, Student A reported that in May of 2021, Student A informed the Educator that Mr. Jackson had touched her in a sexual manner. In her Victim Impact Statement prepared for Mr. Jackson's sentencing, Student A again stated that she told the Educator that Mr. Jackson touched her in a sexual manner. In a 2022 forensic interview conducted in relation to a lawsuit filed by Student A's mother against the School District, Student A again reported that she told the Educator that Mr. Jackson was sexually abusing her.
9. Between May 2021 and October 12, 2021, the Educator did not report that Student A had been abused by Mr. Jackson to law enforcement or to child protective services.
10. On October 21, 2021, and on November 4, 2021, the Educator was interviewed by a Pierce County Sheriff's Office Detective. During the interviews, among other comments, the Educator denied having any knowledge about Mr. Jackson assaulting Student A and denied being told of such by Student A.

11. In June 2022, Mr. Jackson was charged in Pierce County Superior Court with crimes against Student A. In November 2022, Mr. Jackson pled guilty to Rape of a Child in the First Degree, admitting that "[o]n or between 5/1/21 and 10/12/21 in Pierce County State of Washington I had sexual intercourse with [Student A], a person less than 12 years old and I am more than 24 months older than that person."

12. On April 5, 2023, the Educator participated in an interview with OPP. During the interview, among other comments, the Educator denied being told by Student A of any abuse or assault by Mr. Jackson.

13. Although the Educator denies that Student A told her of any abuse or assault by Mr. Jackson, she acknowledges that a reasonable finder of fact could conclude that there is clear and convincing evidence that the Educator committed acts of unprofessional conduct pursuant to WAC 181-86-170 and voluntarily accepts a suspension and reinstatement conditions in order to resolve this matter expeditiously.

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 181-87-060.

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

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. Pursuant to WAC 181-86-070, a suspension is appropriate discipline when:

(1)(b) The education practitioner has committed an act of unprofessional conduct or lacks good moral character but the superintendent of public instruction has determined that a suspension as applied to the particular education practitioner will probably deter subsequent unprofessional or other conduct which evidences lack of good moral character or personal fitness by such education practitioner, and believes the interest of the state in protecting the health, safety, and general welfare of students, colleagues, and other affected persons is adequately served by a suspension. Such order may contain a requirement that the education practitioner fulfill certain conditions before requesting reinstatement of the suspended certificate, and certain conditions after the reinstatement of the suspended certificate.

(1)(c) The education practitioner lacks personal fitness but the superintendent of public instruction has determined the deficiency is correctable through remedial action and believes the interest of the state in protecting the health, safety, and general welfare of students, colleagues, and other affected persons is adequately served by a suspension which states the education

practitioner fulfill certain conditions before requesting reinstatement of the suspended certificate, and certain conditions after the reinstatement of the suspended certificate.

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 181-86-070, WAC 181-87-060 the Educator's education certificate should be suspended for unprofessional conduct and/or a behavioral problem which endangers the educational welfare or personal safety of students, teachers, or other colleagues within the educational setting.

III. ORDER

THEREFORE, it is hereby ordered and agreed that the Washington Education Certificate, No. 558839G of EUNISSA JACKSON is **SUSPENDED**. The Educator may not request reinstatement of her education certificate for at least eight (8) months from the effective date of this ORDER.

REINSTATEMENT of Eunissa Jackson's education certificate shall require:

- (1) In addition to any mandatory continuing education, the Educator must successfully complete, at her expense, the National Association of State Directors of Teacher Education and Certification (NASDTEC) course titled PREVENTION & CORRECTION: OVERVIEW.
- (2) The Educator will provide OPP with proof of completion of the NASDTEC course and provide OPP with a copy of her final essay.
- (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 Investigations 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; AND
- (6) The Educator shall assume all costs of complying with the requirements of this Order.

WAIVER OF RIGHT TO APPEAL

The Educator is aware that RCW 28A.410.090(3) and WAC 181-86-140 afford him/her the right to appeal a denial or discipline order issued by OSPI. Acknowledging this, the Educator

knowingly and voluntarily waives his/her right to appeal by entering into this Agreed Order of Suspension and will take all actions and steps necessary to withdraw any pending appeal.

DATED this 29th day of April, 2025

CHRIS REYKDAL
Superintendent of Public Instruction
State of Washington

Darryl H. Colman
Darryl H. Colman
Acting Chief Legal and Civil Rights Officer

Stipulated to and approved
For entry:

Eunissa Jackson
Eunissa Jackson (Apr 25, 2025 08:34 PNT)
Eunissa Jackson, Respondent

Lauren Berkowitz
Lauren Berkowitz, Attorney for Respondent
WSBA # 49620