



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. D18-04-043
)	
JAMIE POLLARD)	AGREED ORDER
Certificate No. 436627D)	OF SUSPENSION
)	

After receiving and investigating a complaint from Mead School District (“School District”) regarding the above referenced educator, and based upon the facts available as of the date of this Agreed Order, the Superintendent of Public Instruction, through his undersigned designee, does hereby stipulate, by and between, the Office of Superintendent of Public Instruction, the Office of Professional Practices, and JAMIE POLLARD (“Educator”), that JAMIE POLLARD engaged in acts of unprofessional conduct to include WAC’s 181-87-060 and 181-87-055, and that the Educator’s Washington Education Certificate No. 436627D shall be SUSPENDED for not less than EIGHT (8) MONTHS with conditions enumerated below, based on the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. On August 9, 2006, the Educator was issued Washington Education Certificate No. 436627D. The Educator’s certificate will expire on June 30, 2023.
2. During the 2017–2018 school year, the Educator was employed by the School District as a School Psychologist.

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3. On April 19, 2018, the Office of Professional Practices (“OPP”) within the Office of Superintendent of Public Instruction (“OSPI”) received a complaint from Thomas J. Rockefeller, the Superintendent of the School District, alleging the Educator had committed unprofessional conduct pursuant to WAC 181-87 for reporting to work under the influence of a controlled substance, refusing to seek treatment when provided the opportunity, and admitting to continued use of a controlled substance.

4. During the 2010–2011 school year, the Educator repeatedly missed work and scheduled meetings. The Educator was repeatedly found slumped over her desk asleep and displaying signs of intoxication.

5. On April 26, 2011, the Educator was found asleep at her desk without a shirt on. When woken up, she appeared confused.

6. On January 4, 2012, at approximately 2:00 pm, a parent reported an adult slumped over the steering wheel of a vehicle in the school parking lot with the engine running and music playing loudly. It was the Educator. School administration knocked on the window of the vehicle to wake her up. They then walked her into the school building, questioned her, and made arrangements to drive her home.

7. On November 4, 2015, Suzanne McKibbon, Director of Special Services, smelled alcohol on the Educator’s breath. The Educator denied drinking on school premises and claimed the last time she drank was the previous evening. Ms. McKibbon offered the Educator assistance which the Educator declined. Shortly thereafter, the Educator went home ill.

8. October 28, 2016, Ms. McKibbon again smelled alcohol on the Educator’s breath. The Educator admitted she drank alcohol the night before but denied drinking alcohol that day.

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9. On February 7, 2017, the Educator received a Letter of Direction and was directed to notify the School District of absences from work in advance.
10. On May 4, 2017, the Educator received a Notice of Investigation regarding expectations and procedures.
11. On May 25, 2017, the Educator received a Written Warning for failing to notify the School District she was going to be absent.
12. On August 25, 2017, the Educator was found slumped over her desk and appeared asleep. When asked if she was sleeping, the Educator slurred her words and claimed she was texting.
13. On August 25, 2017, the Educator was placed on Administrative Leave w/ Pay pending an investigation requiring “Fitness for Duty” assessment and a “Reasonable Suspicion” drug analysis. The Educator did not submit to a drug analysis on this date.
14. On August 29, 2017, the School District met with the Educator and told her that based on her behavior, the School District had reasonable suspicion that the Educator was under the influence of drugs or alcohol while at work and it was affecting her job performance.
15. Per the School District’s directive, the Educator was assessed by a neurologist and a neuropsychologist. Neither found her unfit for duty due to any neurological or neuropsychological disorder.
16. On October 31, 2017, the School District recommended the Educator seek treatment for drugs and/or alcohol and offered to accommodate her while in treatment. The Educator declined and cited she felt she could manage without treatment.

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17. On November 2, 2017, the Educator was observed by several of her coworkers acting as if she was under the influence of drugs and/or alcohol. The Educator was issued a Notice of Complaint was placed on Administrative Leave w/ Pay pending further investigation, including a “Reasonable “Suspicion” drug analysis. The Educator agreed to a drug analysis.

18. On November 8, 2017, the results of the Educator’s November 2, 2017 drug analysis were released. The Educator tested positive for methamphetamine (“meth”). The Educator denied using meth that day; however, she admitted to using meth on October 30, 2017, with friends.

19. On December 8, 2017, the Educator participated in a Notice and Opportunity interview with the School District. When asked “Have you been late to work because you were impaired by drugs or alcohol?” The Educator responded “possibly yes.” When asked “At this time are you continuing to abuse alcohol or drugs?” the Educator answered “yes.”

20. On January 31, 2018, the Educator submitted her Resignation to the School District.

21. The Educator entered inpatient treatment for substance abuse on February 13, 2020 and successfully completed the program on March 11, 2020.

22. The Educator began outpatient treatment on April 24, 2020 and is currently in compliance with the requirements of the program.

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. Pursuant to WAC 181-86-170, WAC 181-87-055, and WAC 181-87-060, there is clear and convincing evidence the Educator committed acts of unprofessional conduct.
4. Pursuant to WAC 181-86-170, WAC 181-86-013, and WAC 181-86-014, the Educator has a behavioral problem which endangers the educational welfare or personal safety of students, teachers, or other colleagues within the educational setting.
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, WAC 181-86-170, WAC 181-87-055 and WAC 181-87-060, the Educator's education certificate should be suspended for unprofessional conduct and a behavioral problem which endangers the educational welfare or personal safety of students, teachers, or other colleagues within the educational setting.

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III. ORDER

THEREFORE, it is hereby ordered and agreed that the Washington Education Certificate No. 436627D of JAMIE POLLARD 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.

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REINSTATEMENT of Jamie Pollard's education certificate shall require:

- (1) the Educator shall provide proof of successful completion or continued compliance in the current outpatient treatment program to OPP;
- (2) The Educator must submit a new application, including Character and Fitness Supplement, provided by OPP;
- (3) The Educator must complete a fingerprint-based criminal background check through both the Federal Bureau of Investigation and the Washington State Patrol;
- (4) 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
- (5) 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 her the right to appeal a denial or discipline order issued by OSPI. Acknowledging this, the Educator knowingly and voluntarily waives her right to appeal by entering into this Agreed Order of Suspension.

DATED this 29th day of June, 2020.

CHRIS REYKDAL
Superintendent of Public Instruction
State of Washington

Signed: Dierk Meierbachtol
Chief Legal Officer

Stipulated to and approved
For entry:

Signed: Jamie Pollard, Respondent

JAMIE POLLARD
AGREED ORDER OF SUSPENSION