



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

ELYSE WACH
Certificate No. 504573G

OPP No. D19-04-033

AGREED ORDER
OF SUSPENSION

After receiving and investigating a complaint from Quillayute Valley 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 ELYSE WACH (“Educator”), that ELYSE WACH engaged in acts of unprofessional conduct to include WAC 181-87-055(1)(3) and that the Educator’s Washington Education Certificate No. 504573G shall be SUSPENDED for a period of SIX (6) MONTHS with conditions enumerated below, based on the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. On February 3, 2014, the Educator was issued Washington Education Certificate No. 504573G. The Educator has a residency teacher certificate that will expire on June 30, 2024, and a substitute teaching certificate with no expiration date.
2. At the time of the complaint, the Educator was employed by the School District. The Educator taught 6th grade at Forks Intermediate School during the 2018–2019 school year.

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3. On March 23, 2017, the Office of Professional Practices (OPP) within the Office of Superintendent of Public Instruction (OSPI) received a complaint letter from Ms. Diane Reaume, the Superintendent of the School District, alleging the Educator committed an act of unprofessional conduct when she consumed alcohol on school premises.

4. On or about January 17, 2013, the Educator signed her first Notice to Employees Drug and Alcohol Free Workplace. This policy, signed by all new employees of the School District, put the Educator on notice that, “it is a violation of Quillayute Valley School District Board Policy 5258 for any employee to manufacture, distribute, dispense, possess or use in the workplace without valid prescription any alcoholic beverage....”

5. On or about November 30, 2016, the Educator had a meeting with Mr. Caspar Van Haalen, the principal of Forks Intermediate School. During this meeting, the Educator exhibited sluggish behavior, her speech was slurred, and her comments were not on topic and/or they were incoherent. After the meeting, Mr. Van Haalen and Melanie Donahue, school nurse, had contact with the Educator and opined that she was under the influence of an intoxicating substance. The Educator admitted the substance was alcohol.

6. On or about December 8, 2016, Mr. Van Haalen gave the Educator a letter reminding the Educator about the drug and alcohol policies. In addition, Mr. Van Haalen instructed the Educator to meet with him every two weeks to discuss her job performance. She was told any further incidents would not be tolerated.

7. On January 25, 2017, a staff member expressed a concern about the Educator’s behavior to Mr. Van Haalen. On January 26, 2017, Mr. Van Haalen met with the Educator and during the meeting, the Educator admitted to having alcohol at school and drinking said alcohol on January 25, 2017. The Educator also admitted to drinking alcohol at school on a few prior occasions.

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8. On or about March 7, 2017, Ms. Reaume sent the Educator a letter notifying her about the decision reached by the School District. Disciplinary action was being deferred until the Educator could seek medical evaluation, substance abuse counseling, and/or therapy. The Educator was placed on non-disciplinary paid leave, effective March 8, 2017.
9. On or about May 4, 2017, the School District entered into a Memorandum of Understanding (MOU) with the Educator, through her union representative, Forks Education Association. The MOU stated the Educator could return to her teaching position on May 8, 2017, with the understanding the Educator would not have alcohol or be under the influence of alcohol on school premises at any time in the future.
10. On or about May 17, 2017, the Educator was arrested by Washington State Patrol for driving under the influence. The police report shows the Educator stated she began drinking around noon that day and she had been drinking at school.
11. The Educator began outpatient alcohol treatment on or around June 28, 2017.
12. During a meeting with OPP on August 27, 2017, the Educator stated that:
 - a. She started treatment on June 28, 2017, and had been undergoing weekly urinalyses to verify she had not consumed any alcohol; and
 - b. She had not drunk any alcohol from May 17, 2017 through August 27, 2017.
13. On February 2, 2018, OSPI resolved the March 23, 2017, complaint by issuing a Final Order of Reprimand to the Educator for violation of WAC 181-87-055.
14. On March 27, 2019, OPP received a new complaint letter from Superintendent Reaume alleging the Educator committed acts of unprofessional conduct for being under the influence of intoxicants and for consuming alcohol on school premises.
15. On February 19, 2019, the Educator drank alcoholic beverages in her classroom and was under the influence of alcohol during school hours and while with students.

16. The Educator was placed on administrative leave on February 20, 2019.
17. On February 27, 2019, during a meeting with the Superintendent, the Educator admitted to bringing and drinking alcoholic beverages in her classroom on February 19, 2019.
18. On March 18, 2019, the Educator entered an inpatient treatment center and completed treatment on April 15, 2019.
19. On May 9, 2019, the Educator submitted her resignation with the District.
20. On September 4, 2019, the Educator completed a two-year Diversion Program through Cedar Grove Counseling in Forks, Washington.
21. On September 10, 2019, the Educator participated in an interview with OPP.

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 181-87-055(1)(3) for being under the influence of alcohol on school premises and for being in possession of alcohol on school premises.
4. There is a clear and convincing evidence 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, WAC 181-87-055(1)(3), the Educator's education certificate should be suspended for unprofessional conduct.

III. ORDER

THEREFORE, it is hereby ordered and agreed that the Washington Education Certificate, No. 504573G of ELYSE WACH is **SUSPENDED** for a period of SIX (6) months with conditions enumerated below.

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REINSTATEMENT of Elyse Wach's education certificate shall require:

- (1) In addition to any mandatory continuing education;
- (2) The Educator must complete a fingerprint-based criminal background check through both the Federal Bureau of Investigation and the Washington State Patrol;
- (3) 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
- (4) 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 his/her right to appeal by entering into this Agreed Order of Suspension.

DATED this _____ day of _____, 2020.

CHRIS REYKDAL
Superintendent of Public Instruction
State of Washington

Signed: Dierk Meierbachtol
Chief Legal Officer

Stipulated to and approved
For entry:

Signed: Elyse Wach, Respondent

Signed: Eric Hansen Attorney for Respondent
WSBA # 14733

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