



SUPERINTENDENT OF PUBLIC INSTRUCTION

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IN THE MATTER OF THE EDUCATION
CERTIFICATE OF

CHRISTOPHER NEWCOMBE
Certificate No. 513157H

OPP No. D19-08-072

FINAL ORDER
OF MANDATORY
PERMANENT REVOCATION

After receiving and investigating a complaint from Renton 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 CHRISTOPHER NEWCOMBE (Educator) demonstrated a lack of good moral character and personal fitness pursuant to WAC 181-86-013 and does hereby PERMANENTLY REVOKE the Educator's Washington Education Certificate No. 513157H, pursuant to RCW 28A.410.090(4)(c), based on the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. On February 29, 2016, the Educator was issued Washington Education Certificate No. 513157H. The Educator's certificate currently has no expiration date.
2. During the 2018–2019 school year, the Educator was employed by the School District as a substitute teacher.

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3. On July 23, 2019, the Office of Professional Practices (OPP) within the Office of Superintendent of Public Instruction (OSPI) received a complaint from Dr. Damien Pattenau, Superintendent of the School District, alleging the Educator had been arrested by the United States Department of Homeland Security for Possession of Child Pornography, and the Educator may have violated WAC 181-87-050.
4. In November 2018, the Educator, using the instant messenger application, KIK, uploaded an image of minors engaged in sexually explicit acts. KIK notified the United States Department of Homeland Security, Homeland Security Investigations (HSI) on an unknown date.
5. On June 14, 2019, HIS executed a search warrant at the Educator's residence. Pursuant to the search warrant execution, a computer hard drive containing multiple images of minors engaged in sexually explicit acts was located.
6. On June 14, 2019, a Complaint for Violation, Case No. MJ19-265, was filed in US District Court-Western Washington charging the Educator with one count of Possession of Child Pornography, 18 U.S.C. § 2252(a)(4)(B), (b)(2).;
7. On July 11, 2019, an Indictment, Case No. 2:19-cr-00130-RAJ, was filed in US District Court-Western Washington charging the Educator with one count of Possession of Child Pornography, 18 U.S.C. § 2252(a)(4)(B), (b)(2).
8. On March 17, 2021, the Educator signed a Plea Agreement; pleading guilty to one count of Possession of Child Pornography, 18 U.S.C. § 2252(a)(4)(B), (b)(2).
9. On June 25, 2021, a Judgment in Criminal Case, Case No. 2:19-cr-00130-RAJ-1, was filed in US District Court-Western Washington. The Educator was found guilty, by plea, of one count of Possession of Child Pornography, and sentenced to 18 months federal confinement, sex offender registration, and \$27,000 restitution.

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10. On June 25, 2021, the Educator was convicted of Possession of Child Pornography, 18 U.S.C. § 2252(a)(4)(B), (b)(2). This crime is similar in language to RCW 9.68A.070, Possession of Depictions of Minors Engaged in Sexually Explicit Acts. Such a plea or conviction mandates OSPI to PERMANENTLY REVOKE the Educator's Washington Education Certificate No. 513157H, pursuant to RCW 28A.410.090(4).

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 181-86-013(2), and WAC 181-86-014, 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), WAC 181-86-013(2), and WAC 181-86-014, a plea of guilty or a conviction of RCW 9.68A.070, Possession of Depictions of Minors Engaged in Sexually Explicit Acts, which bars the certificate holder from any future practice as an education practitioner and 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 181-86-170, WAC 181-86-013(3), and WAC 181-86-014, there is clear and convincing evidence the Educator has been convicted of a crime within the last ten years that materially and substantially impair the individual's worthiness and ability to serve as a professional within the public and private schools of the state.

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, WAC 181-86-170, RCW 28A.410.090(4), WAC 181-86-013, and WAC 181-86-014, 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 and committing a felony crime under RCW 28A.410.090(4) which bars the Educator from any future practice as an educator.

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III. ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate No. 513157H of CHRISTOPHER NEWCOMBE is **PERMANENTLY REVOKED**.

DATED this 1 day of October, 2021.

CHRIS REYKDAL
Superintendent of Public Instruction
State of Washington

Signed: Tennille Jeffries-Simmons
Chief of Staff