



## 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. D20-01-005
	)	
MARIAH NEWHOUSE	)	AGREED ORDER
Certificate No. 515585H	)	OF SUSPENSION
	)	

After receiving and investigating a complaint from Pasco 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 MARIAH NEWHOUSE (“Educator”) that the Educator engaged in acts of unprofessional conduct to include Washington Administrative Code (WAC) 181-87-055(1) and that the Educator’s Washington Education Certificate No. 515585H shall be SUSPENDED for not less than NINE (9) MONTHS with conditions enumerated below, based on the following Findings of Fact and Conclusions of Law:

### I. FINDINGS OF FACT

1. On February 24, 2015, the Educator was issued Washington Education Certificate No. 515585H. The Educator’s certificate will expire on June 30, 2025.
2. During the 2019-2020 school year, the Educator was employed by the School District at Maya Angelou Elementary School as a First Grade teacher.

3. On December 19, 2019, the Office of Professional Practices (“OPP”) within the Office of Superintendent of Public Instruction (“OSPI”), received a complaint from Michelle Whitney, the Superintendent of the School District, alleging the Educator committed acts of unprofessional conduct pursuant to 181-87 WAC for being under the influence of alcohol on school premises after prior notice from the School District regarding her alcohol use, a recommendation to seek treatment, and reasonable opportunity to seek such treatment.

4. On August 15, 2019 at approximately 1:45PM, the Educator drove her car onto a portable classroom ramp at Maya Angelou Elementary School property. At 3:59PM and 4:18PM, the Educator provided samples of her breath for a blood-alcohol test, resulting in readings of .226 and .161 respectively. A urinalysis test indicated a THC level of 242.4ng/ml. The Educator was placed on administrative leave the same day.

5. On August 28, 2019, the Educator completed an alcohol/substance abuse evaluation. The evaluation recommended treatment.

6. On September 23, 2019, the Educator met with School District administrators. The School District recommended the Educator seek additional treatment pursuant to her August 28, 2019 alcohol/substance abuse evaluation.

7. On September 29, 2019, the Educator entered an inpatient alcohol/substance abuse treatment program and was discharged on November 1, 2019.

8. On November 8, 2019, the Educator met with School District administrators. The School District informed the Educator that they had concerns that alcohol use was affecting her job performance and they recommended that she continue treatment. The Educator also signed a Return-to-Work Agreement.

9. On November 11, 2019, the Educator returned to work at Maya Angelou Elementary School.

10. On November 15, 2019, the Educator was observed acting erratically and then found asleep under her classroom desk. At 3:14PM and 3:30PM, the Educator provided samples of her breath for a blood-alcohol test, resulting in readings of .190 and .198 respectively. The Educator was placed on administrative leave the same day.
11. On December 2, 2019, the Educator was issued a Notice of Probable Cause for Termination.
12. On December 4, 2019, the Educator resigned her employment with the School District in lieu of termination
13. On September 22, 2020, the Educator participated in an interview with OPP.
14. As of October 18, 2021, the Educator has not completed an alcohol/substance abuse program since November 1, 2019.

## **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.

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3. The Educator committed acts of unprofessional conduct pursuant to WAC 181-87-055(1) when she was under the influence of alcohol on school premises after prior notice by the School District of a concern that alcohol/substance use was affecting her job performance, a prior recommendation to seek counseling or other appropriate and available assistance, and reasonable opportunity to seek such assistance.

4. There is clear and convincing evidence 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. 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), the Educator's education certificate should be suspended for unprofessional conduct.

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### III. ORDER

THEREFORE, it is hereby ordered and agreed that the Washington Education Certificate, No. 515585H of MARIAH NEWHOUSE is **SUSPENDED**. The Educator may not request reinstatement of her education certificate for at least NINE (9) MONTHS from the effective date of this ORDER.

**REINSTATEMENT** of Mariah Newhouse's education certificate shall require:

- (1) The Educator must successfully complete a SUBSTANCE ABUSE EVALUATION by a licensed substance abuse evaluation/treatment provider preapproved by OSPI;
- (2) The Educator shall provide written consent for OPP to release documents to the provider for purposes of completing the evaluation;
- (3) The Educator shall sign a consent allowing the examining substance abuse evaluation/treatment provider to provide OPP a summary of the Educator's treatment recommendations, if any, and the results of her evaluation;
- (4) The Educator, if treatment is recommended as a result of the evaluation, shall complete any and all recommended treatment and provide evidence of successful completion or, if continuing treatment is recommended, provide proof of continued compliance in the program to OPP;
- (5) The Educator must submit a new application, including Character and Fitness Supplement, provided by OPP;
- (6) The Educator must complete a fingerprint-based criminal background check through both the Federal Bureau of Investigations and the Washington State Patrol;
- (7) 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
- (8) The Educator shall assume all costs of complying with the requirements of this Order.

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## 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.*

DATED this 6th day of January, 2022.

CHRIS REYKDAL  
Superintendent of Public Instruction  
State of Washington

Signed: Matthew A. Schultz  
Chief Legal and Civil Rights Officer

Stipulated to and approved  
For entry:

Signed: Mariah Newhouse, Respondent