



SUPERINTENDENT OF PUBLIC INSTRUCTION

Chris Reykdal Old Capitol Building · PO BOX 47200 · Olympia, WA 98504-7200 · <http://www.k12.wa.us>

RE: Jessica Fuchs
OSPI Case Number: D15-04-036
Document: Final Order of Mandatory Permanent Revocation

Regarding your request for information about the above-named educator; attached is a true and correct copy of the document on file with the State of Washington, Office of Superintendent of Public Instruction, Office of Professional Practices. These records are considered certified by the Office of Superintendent of Public Instruction.

Certain information may have been redacted pursuant to Washington state laws. While those laws require that most records be disclosed on request, they also state that certain information should not be disclosed.

The following information has been withheld: **None**

If you have any questions or need additional information regarding the information that was redacted, if any, please contact:

OSPI Public Records Office
P.O. Box 47200
Olympia, WA 98504-7200
Phone: (360) 725-6372
Email: PublicRecordsRequest@k12.wa.us

You may appeal the decision to withhold or redact any information by writing to the Superintendent of Public Instruction, OSPI P.O. Box 47200, Olympia, WA 98504-7200.



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IN THE MATTER OF THE EDUCATION)	
CERTIFICATE OF)	OPP No. D15-04-036
)	
Jessica Fuchs)	FINAL ORDER OF
Certificate No. 515074C)	MANDATORY PERMANENT
)	REVOCATION

INTRODUCTION

After receiving and investigating a complaint from Bainbridge Island School District regarding the above referenced educator, and based upon the facts available as of the date of this Final Order, the Superintendent of Public Instruction, through his undersigned designee, Dierk Meierbachtol, Chief Legal Officer, institutes this proceeding and finds, as described below, that Jessica Fuchs engaged in acts of unprofessional conduct to include sexual misconduct with a student, communication with a minor for immoral purposes and tampering with a witness.

I. FINDINGS OF FACT

1. On February 10, 2015, Jessica Fuchs, hereafter referred to as Ms. Fuchs, was Issued Washington Education Certificate, No. 515074C. That certificate currently remains valid.
2. On February 25, 2015, Kristen Haizlip, Associated Principal at Bainbridge Island High School, conducted a School District investigation and contacted Bainbridge Island Police Department (BIPD), to report a possible sexual relationship between a male student (J.A.E), age 16 and Ms. Fuchs, a 25 year old female teacher.

JESSICA FUCHS
FINAL ORDER OF MANDATORY PERMANENT REVOCATION

3. On February 25, 2015, Bainbridge Island School District placed Ms. Fuchs on paid administrative leave.

Criminal Investigation and Prosecution

4. On February 25, 2015, following Kristen Haizlip's notification, BIPD initiated an investigation into the relationship between J.A.E and Ms. Fuchs. BIPD report number I15-000243.

a. On March 6, 2015, J.A.E told his mother that on February 21, 2015, while at Ms. Fuchs' residence, Ms. Fuchs performed oral sex on him and her husband witnessed it.

b. KCSO conducted a forensic examination of electronic media belonging to J.A.E and Ms. Fuchs. Between January 15, 2015 and February 25, 2015, there were discussions regarding hugging, kissing, making out, having oral sex and sexual intercourse found as a result of the media examination. BIPD report number I15-000243.

c. On February 25, 2015, Ms. Fuchs told J.A.E, "Well protect me as best you can. Remember NOTHING COMES OUT EVER!. About anything you have been to my house only once. Lie like you have NEVER lied before". BIPD report number I15-000243.

d. On May 7, 2015, KCSO arrested Ms. Fuchs for Sexual Misconduct with a Minor in the 1st degree, Communication with a Minor for Immoral Purposes and Tampering with a Witness. BIPD report number I15-000243.

5. On May 7, 2015, Kitsap County Prosecuting Attorney filed in Kitsap County Superior Court an Information and BIPD's certificate of Probable Cause for arrest. Kitsap County Superior Court cause number 15-1-00502-1

a. On December 28, 2015, a Statement of Defendant on Plea of Guilty was filed in Kitsap County Superior Court for Cause No.15-1-00502-1. Ms. Fuchs pled guilty to the offenses of count I, Sexual misconduct with a minor, in the 1st degree, count II, Communication with a minor for Immoral Purposes and count III Tampering with a Witness. Ms. Fuchs stated "On or about Feb 25, 2015, in Kitsap County, WA I Jessica M Fuchs being at least 60 months older than J.A.E. who was at least 16 years old but less than 18 years abused a supervisory position by engaging in sexual intercourse with J.A.E. I communicated with J.A.E. for immoral purposes by electronically communicating with him by text or email for sexual purposes. During the same time period I told J.A.E. to lie about our relationship when the police were officially investigating our relationship". Kitsap County Superior Court cause number 15-1-00502-1

b. On December 28, 2015, Ms. Fuchs was found guilty by plea and sentenced. Kitsap County Superior Court cause number 15-1-00502-1.

JESSICA FUCHS

FINAL ORDER OF MANDATORY PERMANENT REVOCATION

c. On December 28, 2015, a Judgment and Sentence hearing was held in Kitsap Superior Court. Ms. Fuchs was found guilty by plea and was awarded 8 months confinement and 21 months of community custody. Kitsap County Superior Court cause number 15-1-00502-1.

6. On May 11, 2015, Bainbridge Island School District notifies Ms. Fuchs that her employment would not be renewed for the 2015-2016 school year.

7. Mrs. Fuchs was offered an opportunity to respond to the allegations of misconduct and on January 13, 2016, Ms. Fuchs submitted a statement to OPP.

8. Ms. Fuchs has pleaded guilty or has been convicted of a crime identified in Revised Code of Washington (RCW) 28A.410.090(4). Such a plea or conviction authorizes OSPI to permanently revoke the Education Certificate.

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, suspend, and revoke education certificates. RCW 28A.410.090. WAC 181-86 and WAC 181-87 further implement OPSI's authority.

2. OSPI has jurisdiction over Ms. Fuchs and the subject matter discussed herein.

3. Ms. Fuchs committed acts of unprofessional conduct by WAC 181-86-013,-014 and RCW 28A.410.090.

4. There is clear and convincing evidence that Ms. Fuchs committed an act of unprofessional conduct. WAC 181-86-170 (Burden of Proof).

5. Per WAC 181-86-080, eleven factors 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;
11. And 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 181-86-075 (Grounds for issuance of a revocation order), RCW 28A.410.090(4)(c), WAC 181-87-080 (Sexual Misconduct with a Student); WAC 181-87-060(1) (Disregard or Abandonment of Generally Recognized Professional Standards), Ms. Fuchs' Washington Education Certificate should be permanently revoked for unprofessional conduct and a felony sex offense conviction.

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JESSICA FUCHS

FINAL ORDER OF MANDATORY PERMANENT REVOCATION

III. ORDER

Therefore, it is hereby ordered that the Washington Education Certificate, No. 515074C, of Ms. Fuchs be permanently revoked.

DATED This 13th day of May, 2016.

RANDY I. DORN
Superintendent of Public Instruction
State of Washington

Signed: Dierk Meierbachtol
Chief Legal Officer
Office of Superintendent of Public Instruction