



SUPERINTENDENT OF PUBLIC INSTRUCTION

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

RE: Jeffrey Gross
OSPI Case Number: D16-09-062
Document: 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.

IN THE MATTER OF THE EDUCATION)	
CERTIFICATE OF)	OPP No. D16-09-062
)	
JEFFREY D. GROSS)	FINAL ORDER OF
Certificate No. 522080A)	MANDATORY PERMANENT
)	REVOCATION
_____)	

After receiving and investigating a complaint from Aberdeen 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 JEFFREY D. GROSS (“Educator”) engaged in acts of unprofessional conduct to include WAC 181-86-013(2), and does hereby PERMANENTLY REVOKE the Educator’s Washington Education Certificate No. 522080A, 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 January 5, 2016, the Educator was issued Washington Education Certificate, No. 522080A. The Educator’s license will expire on June 30, 2019.
2. During the 2016–2017 school year, the Educator was employed as a teacher with the Aberdeen School District.

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3. The Educator held a Single Subject Teaching Credential and a Crosscultural, Language, and Academic Development Certificate from California. On September 19, 2016, Vanessa Whitnell, Chief Counsel and Director of the Division of Professional Practices in California, sent the Educator a notice that all credentials, certificates, permits, or other documents authorizing employment in the public schools of California were Suspended.

4. On or about May 27, 2016, an image meeting the definition for child pornography was uploaded to an IP address associated with a Comcast account belonging to the Educator. The file triggered a Cybertip report from the National Center for Missing and Exploited Children (“NCMEC”).

5. On or about August 30, 2016, a search warrant was served on the Educator by Chief Shultz, Sgt. Cristella, and Officer Tuggle of the Elma Police Department. All electronic devices and storage media devices were removed from the Educator’s residence.

6. On September 6, 2016, an Information and Order Directing Issuance of Warrant of Arrest was filed in Grays Harbor County Superior Court, Cause Number 16-1-394-2. The Educator was charged with four counts of Possession of Depictions of Minor Engaged in Sexually Explicit Conduct in the First Degree.

7. On April 10, 2017, the Educator executed a plea agreement, by entering a plea of guilty for the criminal charge of two counts of Possession of Depictions of Minor Engaged in Sexually Explicit Conduct in the First Degree under RCW 9.68A.070(1), RCW 9.68A.010(4)(a), and RCW 9.68A.010(4)(b).

8. On April 17, 2017, the Educator was sentenced to twenty-six (26) months confinement in the custody of the Department of Corrections.

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9. The Educator has been offered an opportunity to respond to the allegations of misconduct, as per RCW 28A.410.090. The Educator, through his attorney, sent a voluntary surrender which was received by OPP on March 14, 2017. OPP did not accept the voluntary surrender because the Educator's actions resulted in a felony conviction.

10. The Educator has pleaded guilty or been convicted of a crime listed in RCW 28A.410.090(4). Such a plea or conviction authorizes OSPI to permanently revoke Education Certificate number, 522080A, of Jeffrey D. Gross.

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 OPSI's authority.

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

3. The Educator has demonstrated a lack of good moral character and personal fitness pursuant to WAC 181-86-013.

4. There is clear and convincing evidence that the Educator has demonstrated a lack of good moral character and personal fitness. WAC 181-86-075.

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5. Pursuant to WAC 181-86-080 eleven (11) 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 181-86-075 (Grounds for Issuance of an Order of Revocation), RCW 28A.410.090(4)(c), WAC 181-86-013, and WAC 181-86-014, Jeffrey Gross's education certificate should be permanently revoked for demonstrating a lack of good moral character and personal fitness and for committing a felony sex offense.

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III. ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate, No. 522080A, of JEFFREY D. GROSS is PERMANENTLY REVOKED.

DATED this 29th day of August, 2017

CHRIS REYKDAL
Superintendent of Public Instruction
State of Washington

Signed: Dierk Meierbachtol
Chief Legal Officer