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## SUPERINTENDENT OF PUBLIC INSTRUCTION

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

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RE: Erin Lee Jordan  
OSPI Case Number: D15-08-077  
Document: Final Order of 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](mailto: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. D15-08-077
	)	
ERIN JORDAN	)	
Certificate No. 417115C	)	FINAL ORDER OF
	)	REVOCATION

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## INTRODUCTION

After receiving and investigating a complaint from Evergreen (Washington) 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, Chief Legal Officer Dierk Meierbachtol., institutes this proceeding and finds, as described below, that Erin Jordan has a behavioral problem and lacks the personal fitness for holding a professional educational certificate. Erin Jordan was initially charged in Superior Court of Washington for Whatcom County, with murder and she entered a plea of not guilty by reason of insanity.

### I. FINDINGS OF FACT

1. On May 27, 2004, Erin Jordan, hereafter referred to as Ms. Jordan, was issued Washington Education Certificate, No. 417115C. That certificate currently remains valid.

2. On or about July 17, 2015, Ms. Jordan who was suffering from a mental illness, shot and killed her husband and her 17 month old son, in their home, and then shot herself.

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3. On July 20, 2015, Detective Kevin Bowhay, Whatcom County Sheriff's Office (WCSO), interviewed Ms. Jordan, who told him that while her husband and baby were sleeping, she shot them and then shot herself.

4. On July 22, 2015, Whatcom County Prosecuting Attorney filed in Superior Court for Whatcom County an Affidavit of Probable Cause and an Information, charging Ms. Jordan with Murder in the First Degree, County I, and Murder in the First Degree Count II. State of Washington vs. Jordan, Whatcom County Superior Court, Case No. 15-1-00891.

5. On August 31, 2015, Ms. Jordan pleaded not guilty to two counts of murder. Subsequently, she filed a motion to acquit by reason of insanity.

6. On December 8, 2015, a hearing was held in which Ms. Jordan entered a plea of not guilty by reason of insanity, and testimony was taken and argument was heard on Ms. Jordan's motion to acquit by reason of insanity.

7. At the December 8, 2015 hearing, Forensic Psychiatrist, Mark McClung, Ph.D. testified regarding Ms. Jordan and her mental state.

a. Dr. McClung testified Ms. Jordan has a mental disorder as defined by the law, that her mental disorder is a delusional disorder, a serious mental disorder, and is a chronic mental disorder.

b. Dr. McClung testified that Ms. Jordan is likely to have symptoms of this illness for the rest of her life.

8. At the conclusion of the December 8, 2015 hearing, the Court's entered an Order Acquitting by Reason of Insanity. In so doing, the Court found that "at this time the defendant is a substantial danger to herself or others and is in need of control by the Court or other persons or institutions, and therefore orders her continued supervision by the Court and her return to Western State Hospital for treatment for her mental illness."

9. On December 8, 2015, the Court also entered an Order of Commitment to Western State Hospital, which is where Ms. Jordan currently resides and receives treatment.

10. RCW 9A.12.010 states that “To establish the defense of insanity, it must be shown that:

a. At the time of the commission of the offense, as a result of mental disease or defect, the mind of the actor was affected to such an extent that:

1. He or she was unable to perceive the nature and quality of the act with which he or she is charged; or

2. He or she was unable to tell right from wrong with reference to the particular act charged.

b. The defense of insanity must be established by a preponderance of the evidence.

11. RCW 10.77.110 (1) states that “If a defendant is acquitted of a crime by reason of insanity and it is found that he or she is not a substantial danger to other persons, and does not present a substantial likelihood of committing criminal acts jeopardizing public safety or security, unless kept under further control by the court or other persons or institutions, the court shall direct the defendant's release.. If it is found that such defendant is a substantial danger to other persons, or presents a substantial likelihood of committing criminal acts jeopardizing public safety or security, unless kept under further control by the court or other persons or institutions, the court shall order his or her hospitalization, or any appropriate alternative treatment less restrictive than detention in a state mental hospital, pursuant to the terms of this chapter.”

12. RCW 10.97.030(4) states “Conviction or other disposition adverse to the subject means any disposition of charges other than: (a) A decision not to prosecute; (b) a dismissal; or (c) acquittal; with the following exceptions, which shall be considered dispositions adverse to the subject: An acquittal due to a finding of not guilty by reason of insanity and a dismissal by reason of incompetency, pursuant to chapter 10.77; and a dismissal entered after a period of probation, suspension, or deferral of sentence.

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13. On January 11, 2016, OPP sent Ms. Jordan a request to provide a statement.
14. On February 2, 2016, Ms. Jordan provided a statement to OPP in which she wrote” “Dr. Mark McClung’s testimony was accepted by the prosecutor on behalf of the state as well as by the court and my counsel. It was upon this basis that the court found I was not responsible for my actions at the time of the incident. Please be assured that I’m doing everything in my power to address these issues”.
15. When Ms. Jordan shot her husband and child as a result of mental disease or defect, her mind was affected to such an extent that (a) she was unable to perceive the nature and quality of the act with which was charged; or (b) was unable to tell right from wrong when she shot her husband and child.
16. Ms. Jordan has been adjudicated as being a substantial danger to other persons and therefore remains detained in a state mental hospital.

## **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.410.090. WAC 181-86 and WAC 181-87 further implement OPSI’s authority.
2. OSPI has jurisdiction over Ms. Jordan and the subject matter discussed herein.
3. There is clear and convincing evidence that Ms. Jordan has a behavioral problem which endangers the educational welfare or personal safety of students, teachers, or other colleagues and lacks the personal fitness required of certificated educators in the State of Washington; WAC 181-86-013(3), WAC 181-86-014, RCW 28A.410.090.

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4. 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.

5. 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(2) (Grounds for Issuance of a Revocation Order), WAC 181-87-013, -014, RCW 10.97.030(4), RCW 10.77.110 (1), RCW 9A.12.010 and RCW 28A.410.090, Ms. Jordan's education certificate should be revoked.

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### **III. ORDER**

Therefore, it is hereby ordered that the Washington Education Certificate, No. 417115C, of Ms. Jordan is revoked.

DATED This 25th day of May, 2016.

RANDY I. DORN  
Superintendent of Public Instruction  
State of Washington

Signed: Dierk Meierbachtol  
Chief Legal Officer