



SUPERINTENDENT OF PUBLIC INSTRUCTION

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

RE: Jennifer Kennedy
OSPI Case Number: D15-11-100
Document: Agreed Order of Suspension

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

JENNIFER KENNEDY
Certificate No. 385720H

OPP No. D15-11-100

AGREED ORDER
OF SUSPENSION

After receiving and investigating a complaint from Washougal 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 JENNIFER KENNEDY (“the Educator”), that the Educator’s Washington Education Certificate No. 385720H shall be suspended for not less than six (6) months with conditions enumerated below, based on the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. On March 26, 2001, the Educator was issued a Residency Teacher Certificate, No. 385720H. The Residency Teacher Certificate expired on June 30, 2010. The Educator was issued a Professional Teacher Certificate, No. 385720H on August 2, 2010, and this certificate expired on June 30, 2016. The Educator was also issued a Substitute Teacher Certificate, No. 385720H on September 11, 2008, with no expiration date.

JENNIFER KENNEDY
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2. During the time period of the allegation, the Educator was employed by the Washougal School District as a math and science teacher at Excelsior High School, an alternative high school, where she remained employed until her resignation with the effective date of August 31, 2016.
3. On November 12, 2015, the Office of Professional Practices, within OSPI, received a complaint letter from the Superintendent of Washougal School District alleging flagrant disregard or clear abandonment of generally recognized professional standards, or a violation of the Code of Professional Conduct, Washington Administrative Code (WAC) 181-87-060, by the Educator.
4. From at least February 2015 through September 2015, the Educator exchanged personal text messages with Student A. The text messages were not related to any educational purpose.
5. On or about March 19, 2015, the Educator sent an email message to Student A's mother.

The message states,

"Hello! [Student A] told me that you wanted me to contact you regarding the specifics of the fundraiser Saturday. This Saturday from 6-7:30pm Excelsior High School is putting on a dessert fundraiser. It is during the play at Washougal High School to help raise money for our scholarship fund that we created last year. We will start about 4pm setting up and baking the final desserts that are not brought in. The dessert fundraiser will last through play intermission and then we will begin the cleanup process. I figure that the entire volunteer time will be from 4-8pm approximately. We could very much use [Student A]'s help if you would allow her to assist us. Feel free to contact me if you have any further question. :)"

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6. On or about March 21, 2015, Student A sent the Educator a text message asking her to give her a ride to the mall because she and Student B missed the bus. The Educator picked up Students A and B and took them to the mall. While at the mall, Student A informed the Educator that she was unable to purchase the piercing needles because the required age for purchasing piercing needles is 18 years old, and Student A was only 16 years old at this time. The Educator purchased the piercing needles for Student A.

7. On or about September 21, 2015, Student A's mother left a voicemail message for Dr. Patsy Boles, Associate Superintendent. She stated that she confiscated Student A's phone and discovered inappropriate text message exchanges between Student A and the Educator. Student A's mother also voiced a concern that she had emails and text messages that verifies the Educator conspired to deceive her about the piercing needle purchase.

8. On or about September 24, 2015, the Educator was placed on paid administrative leave pending an investigation into allegations of acting inappropriately with a student.

9. The Educator denies intentionally lying to Student A's mother, but acknowledges that she exercised poor judgment in her communications with Student A.

10. On or about March 16, 2016, the Educator signed an agreement to resign her position with the Washougal School District, effective August 31, 2016.

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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, RCW 28A.410.010, and WAC 181-86 and WAC 181-87 further implement OPSI's authority.

2. OSPI has jurisdiction over the Educator and the subject matter of this action.

3. The Educator committed acts of unprofessional conduct pursuant to WAC 181-87-060(1).

4. 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.

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 181-86-070, and WAC 181-87-060(1), the Educator's education certificate should be suspended for unprofessional conduct.

III. ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate, No. 385270H, of JENNIFER KENNEDY is **SUSPENDED**. The Educator may not request reinstatement of her education certificate for at least six (6) months from the effective date of this ORDER.

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REINSTATEMENT of Jennifer Kennedy's education certificate shall require:

- (1) In addition to any mandatory continuing education, the Educator must successfully complete an in-person EDUCATOR BOUNDARIES course, preapproved by OSPI. The Educator will provide OSPI proof of completion of the course prior to requesting reinstatement;
- (2) The Educator must submit a new application, including a Character and Fitness Supplement, provided by OPP;
- (3) The Educator must complete a fingerprint-based criminal background check through both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP);
- (4) The Educator's fingerprint background check must return with no criminal convictions, occurring after the date of issuance of a Final Order or Suspension, that are listed in WAC 181-86-013, RCW 28A.410.090, or any felony convictions;
- (5) The Educator's education certificate has expired. The Educator must show that she meets all academic requirements for renewal/reinstatement of the expired education certificate;
- (6) The Educator shall assume all costs of complying with the requirements of this Order.

DATED This 12th day of February, 2017.

CHRIS REYKDAL
Superintendent of Public Instruction
State of Washington

Stipulated to and approved
For entry:

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

Signed: Jennifer Kennedy, Respondent

Signed: Margaret Olney, Attorney for Respondent
WSBA # 17933