



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)
TAYLOR HAMBY)
Certificate No. 510234H)

OPP No. D16-02-008
AGREED ORDER
OF SUSPENSION

After receiving and investigating a complaint from Valley School District regarding the above referenced educator, and based upon the facts available as of the date of this Agreed Order, TAYLOR HAMBY (“Educator”) and the Superintendent of Public Instruction, through his undersigned designee, do hereby stipulate to this Agreed Order of Suspension that the Educator engaged in acts of unprofessional conduct and that the Educator’s Washington Education Certificate No. 510234H shall be SUSPENDED for not less than nine (9) months with the conditions enumerated below. By agreeing to this Agreed Order of Suspension, the Educator stipulates that there are sufficient facts contained in the files and records of the Office of Superintendent of Public Instruction, Office of Professional Practices to support the findings of fact and conclusions of law set forth below.

I. FINDINGS OF FACT

1. On February 9, 2016, the Office of Professional Practices (“OPP”) within the Office of Superintendent of Public Instruction (“OSPI”) received a complaint from Kevin Foster, the Superintendent of the Valley School District, alleging that the Educator had committed acts of unprofessional conduct pursuant to WAC 181-87 pertaining to interactions and relationships with Wellpinit School District students.
2. During the 2014–2015 school year, the Educator was employed by the Wellpinit School District at Wellpinit High School as a math teacher.
3. In the first semester of the 2014–2015 school year, the Educator offered Student A, a female Wellpinit High School student, the use of his personal vehicle so she could attend to a court hearing during the school day. The matter ended up being handled without her need to borrow his vehicle.

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4. During the 2014–2015 school year, it is alleged that the Educator allowed a Wellpinit High School student into his residence, and during the summer of 2015, it is alleged that the Educator allowed current and former Wellpinit High School students into his residence.
5. There was an allegation from a Wellpinit High School staff member that the Educator tickled female students on their waists and necks in the school hallway during the 2014-2015 school year. There was an allegation by another staff member that the Educator was using a ruler to demonstrate oral sex to one of his classes.
6. During the 2014–2015 school year, Wellpinit High School administrators and colleagues counseled the Educator about his interactions with students.
7. During the latter half of the 2014–2015 school year, the Educator volunteered to chaperone the Wellpinit High School prom. He acknowledged having a glass of wine several hours before the event. Upon his arrival, he was advised by a fellow staff member that consuming alcohol before attending a school function was against school policy. It was recommended that he leave, which he did so voluntarily. On March 18, 2015, the Educator was issued a Notice of Disciplinary Action imposing a verbal warning for his conduct.
8. In or around April 2015, the Educator was informed by Kris Herda, Wellpinit High School Principal, that his teaching contract would not be renewed for the upcoming school year because of concerns about his professional judgment, ability to fit in with the culture of the community, and concerns about maintaining professional boundaries. Mr. Herda told the Educator that he would be non-renewed and gave him the option to resign.
9. On April 26, 2015, the Educator submitted his resignation from the Wellpinit School District effective the end of the 2014–2015 school year.
10. On or about his final day in a classroom at Wellpinit High School, the Educator provided students his contact information for the social media platform, Snapchat.
11. On June 18, 2015, the Educator signed an Application for Employment with the Valley School District. The Application was received at Valley School District on July 9, 2015.
 - a. On the application, the Educator stated his reason for leaving Wellpinit School District was: “Job wasn’t the right fit for me. I would like to work with students who plan on furthering their education after high school.”
 - b. On the application, the Educator answered “No” to questions on the application’s Disclosure statement regarding non-renewal which OPP alleges were false answers.

12. During the summer and fall of 2015, the Educator had unprofessional interactions with Wellpinit School District students. Specific examples include:

- a. Communicating with students on Snapchat;
- b. Inviting current and former students to his residence;
- c. Met up with students at a Spokane-area Taco Bell;
- d. Allegations that he provided alcoholic beverages to Student B, a former Wellpinit School District student;
- e. Allegations that he attempted to kiss Student B on the lips;
- f. Receiving an unsolicited Snapchat image from Student C, then an 18-year-old female who graduated from Wellpinit High School in 2015, depicting Student C topless. This image was received by the Educator after the two had been messaging via Snapchat; and
- g. Befriending Wellpinit School District students on a Facebook page he set up to communicate with former students, fellow teachers, and parents of students.

13. In the spring of 2016, the Educator placed a photo on Snapchat of a frontal view of his tan line after having altered the photo to cover his groin area. Several current and former Wellpinit students were connected with the Educator on Snapchat and saw the image, as did some Wellpinit High School staff members.

14. During the summer of 2015, the Educator began an unprofessional relationship with a Wellpinit High School female student, Student D. Specific examples of the Educator's conduct with Student D include:

- a. Inviting Student D, a Wellpinit student, and a former student to go rafting or floating on inner tubes on a local river;
- b. Exchanging electronic communications;
- c. Transporting Student D in his personal vehicle;
- d. Bringing food items to Student D; and
- e. Maintaining the relationship through both in-person and electronic communications, after receiving a written directive from the Valley School District Superintendent, to not communicate with any "witness or potential witness" including current and former students from his current school district or former school district.

15. In either the 2015–2016 or 2016–2017 school year, the Educator is alleged to have sent a Snapchat message to Student E, a former Wellpinit High School student who was then attending another school district, commenting on a Snapchat image she had posted of herself in a bathing suit top and shorts.

16. As of August 20, 2018, the Educator has many former Wellpinit School District students listed as friends on his Facebook profile.

17. During the 2015–2016 school year, the Educator was employed by the Valley School District.

18. On October 13, 2015, the Superintendent of Wellpinit School District sent the Educator a letter advising him to stop attending Wellpinit School District extracurricular events and stop texting students because his recent attendance at two separate athletic events had upset several parents.

19. On or about November 23, 2015, Kevin Foster, the Superintendent of the Valley School District, sent the Educator a letter placing the Educator on administrative leave. The Educator was directed not to discuss the allegation or investigation with any witness or potential witness, including students and former students from his current and former school districts.

20. After being placed on administrative leave by the Valley School District, the Educator contacted Wellpinit School District students to inquire about the investigation. The Educator also dropped off Taco Bell twice to Student D, who was staying at her cousin’s apartment over Thanksgiving weekend, 2015.

21. On January 28, 2016, after a meeting with Valley School District administration giving the Educator the option of being non-renewed or resigning, the Educator signed a Resignation Agreement.

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.

3. The Educator committed acts of unprofessional conduct pursuant to WAC 181-87-060.
4. There is a clear and convincing evidence that 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 181-87-060, the Educator's education certificate should be suspended for nine (9) months.

III. ORDER

THEREFORE, it is hereby ordered and agreed that the Washington Education Certificate, No. 510234H of TAYLOR HAMBY is **SUSPENDED**. The Educator may not request reinstatement of his education certificate for at least nine (9) months from the effective date of this ORDER.

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REINSTATEMENT of TAYLOR HAMBY'S education certificate shall require:

- (1) In addition to any mandatory continuing education, the Educator must successfully complete a MAINTAINING BOUNDARIES course, preapproved by OSPI. The Educator will provide OSPI proof of completion of the course prior to requesting reinstatement;
- (2) The Educator must successfully complete a PSYCHOLOGICAL EVALUATION which validates his ability to have unsupervised access to students in a school environment by a licensed psychologist/psychiatrist preapproved by OSPI;
- (3) The Educator shall provide written consent for OPP to release documents to the provider for purposes of completing the 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 shall sign a consent allowing the examining psychologist/psychiatrist to provide OPP a summary of the Educator's treatment and the results of his/her evaluation;
- (6) The Educator must submit a new application, including Character and Fitness Supplement, provided by OPP;
- (7) The Educator must complete a fingerprint-based criminal background check through both the Federal Bureau of Investigation and the Washington State Patrol;
- (8) 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**
- (9) The Educator shall assume all costs of complying with the requirements of this Order.

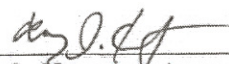
DATED this 05 day of April, 2019.

CHRIS REYKDAL
Superintendent of Public Instruction
State of Washington


Dierk Meierbachtol
Chief Legal Officer

Stipulated to and approved
For entry:


Taylor Hamby, Respondent


Larry J. Kuznetz, Attorney for Respondent
WSBA # 8697

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