



# SUPERINTENDENT OF PUBLIC INSTRUCTION

DR. TERRY BERGESON OLD CAPITOL BUILDING • PO BOX 47200 • OLYMPIA WA 98504-7200 • <http://www.k12.wa.us>

IN THE MATTER OF THE EDUCATION )  
CERTIFICATE OF )

OPP No. D05-09-100

Joe Fajardo )  
Certificate No. 414397J )

AGREED ORDER )  
OF SUSPENSION )

COMES NOW the Office of Superintendent of Public Instruction, under the authority granted by the laws of the state of Washington, having reviewed the file of the above-referenced case, and having considered the entire evidence contained therein, does hereby stipulate by and between the Office of Professional Practices (OPP), Office of Superintendent of Public Instruction (OSPI), and Joe Fajardo, that the Washington Education Certificate, No. 414397J, of Joe Fajardo, shall be suspended, based on the Findings of Fact and Conclusions of Law set forth below:

### FINDING OF FACTS

1. Joe Fajardo was issued a Washington Education Certificate, No. 414397J, on February 17, 2004. That certificate currently remains valid.
2. Joe Fajardo was employed by the Longview School District.
3. On September 19, 2005, the Office of Professional Practices, within OSPI, received a complaint letter from the Superintendent of the Longview School District alleging a lack of good

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moral character or personal fitness, or a violation of the Code of Professional Conduct, Washington Administrative Code (WAC) 180-87, by Joe Fajardo.

4. During the 2004-2005 school year, Mr. Fajardo used Longview School District computer equipment to access and view non-educational websites. Mr. Fajardo: accessed and viewed images of nude women; accessed and viewed images of partially clothed females; played games online; and viewed other websites of a non-educational subject.

5. On September 15, 2005, Mr. Fajardo received a letter of reprimand from Rollie Johnson, Principal at R.A. Long High School for: the use of school district property for personal use (internet); lack of instruction due to personal internet use during instructional time; continued hits on blocked internet sites; and opening and observing pornographic and other improper sites.

6. On September 16, 2005, Mr. Fajardo requested and received approval for medical leave, beginning September 20, 2005 through January 26, 2006.

7. On September 16, 2005, Mr. Fajardo received a letter from Longview School District Superintendent Nicholas Seaver. The letter was regarding conditions for continued employment with the Longview School District.

8. On January 19, 2006, Mr. Farjdo submitted a letter of resignation to the Longview School District.

9. Good moral character and personal fitness is a continuing requirement to maintain a Washington Education Certificate.

**CONCLUSIONS OF LAW**

1. OSPI has jurisdiction over Joe Fajardo and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence that Washington Education Certificate, No. 414397J, of Joe Fajardo, should be suspended as provided for in WAC 180-86-070.

3. Joe Fajardo has violated WAC 180-87-060, RCW 28A.410.090, WAC 180-86-013, and/or WAC 180-86-014.

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ORDER

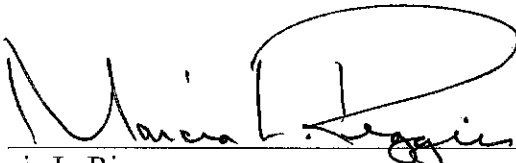
THEREFORE, it is hereby ordered and agreed that the Washington Education Certificate, No. 414397J, of Joe Fajardo, be suspended for four (4) months from the date of entry of this Order.

Reinstatement shall require adherence to the following stipulations:

(1) successful completion of a psychological evaluation which validates Joe Fajardo's ability to have unsupervised access to children, by an evaluator mutually agreed upon by the Office of Professional Practices (OPP) and Joe Fajardo; (2) that Joe Fajardo provide written consent for OSPI to release documents to the evaluator for purposes of completing an evaluation and course of treatment; (3) that Joe Fajardo follows and complete any and all treatment recommended in the evaluation; (4) that Joe Fajardo provides a release authorizing OPP to have access to records of any and all evaluation and any and all subsequent treatment undertaken; (5) and that the cost of conformance to all reinstatement requirements will be the responsibility of Joe Fajardo.

DATED This 31<sup>st</sup> day of March, 2006.

DR. TERRY BERGESON  
Superintendent of Public Instruction  
State of Washington

By:   
Marcia L. Riggers  
Assistant Superintendent  
Student Support and Operations

Stipulated to and approved  
For entry; notice of presentation  
waived:

  
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Joe Fajardo, Respondent

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