



SUPERINTENDENT OF PUBLIC INSTRUCTION

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

RE: Roy DeLong
OSPI Case Number: D19-02-011
Document: Final 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)	OPP No. D19-02-011
)	
ROY DELONG)	FINAL ORDER
Certificate No. 489001H)	OF SUSPENSION
)	

After receiving and investigating a complaint from Bellingham Public Schools (“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 ROY DELONG (“Educator”) engaged in acts of unprofessional conduct to include WAC 181-87-060 and WAC 181-87-080, and does hereby SUSPEND the Educator’s Washington Education Certificate No. 489001H for not less than NINE (9) MONTHS with conditions enumerated below, based on the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. On June 26, 2012, the Educator was issued Washington Education Certificate No. 489001H. The Educator’s certificate does not have a listed expiration date.

2. During the 2018–2019 school year, the Educator was employed by the School District at Squalicum High School as an Art teacher.

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3. On January 31, 2019, the Office of Professional Practices (“OPP”) within the Office of Superintendent of Public Instruction (“OSPI”) received a complaint from Greg Baker, E.D., the Superintendent of the School District, alleging the Educator committed acts of unprofessional conduct pursuant to WAC 181-87 when he inappropriately touched the buttocks of a female student and communicated with at least two female students inappropriately via email.

4. The Educator began teaching at Squalicum High School at the beginning of the 2017–2018 school year.

5. On July 28, 2017, the Educator signed a “Policy Acknowledgment” certifying that he had been informed of and given access to the School District’s administrative policies, including Policy 5253/5253P “Maintaining Professional Staff/Student Boundaries.”

6. Throughout the 2017–2018 school year, the Educator completed multiple SafeSchools training modules, including “What Every Employee Must Be Told” on July 31, 2017.

7. On January 22, 2019, after an interview with the School District regarding the allegations against him, the Educator was placed on Administrative Leave with pay pending further investigation.

8. On January 25, 2019, during a second interview with the School District regarding new allegations of inappropriate behavior, the Educator voluntarily resigned his position with the School District.

COMMENTS AND CONDUCT WITH INDIVIDUAL FEMALE STUDENTS

STUDENT A¹

9. During the 2018–2019 school year, Student A was a student in the Educator’s Art class.

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¹ Student names have been replaced with letter names (i.e. “Student A”) to protect privacy.

10. In an interview with OPP, Student A described the Educator as “more of a friend than a teacher” and said that he would regularly give her hugs and she would hug him back. Student A also told OPP that the Educator told her he preferred female students over male students because he knew how they thought and were “horny.”

11. The Educator told a female classmate and friend of Student A that Student A reminded him of a girl he used to like.

12. Beginning in approximately December 2018, the Educator initiated personal email communications with Student A.

13. The Educator emailed Student A an average of two times a day, increasing in frequency during Winter Break.

14. During Winter Break, the emails the Educator sent Student A became increasingly personal in nature, including but not limited to, telling her that:

- a. He wanted to take her on a trip to Seattle;
- b. He wanted to train her in boxing;
- c. He wanted to watch the Super Bowl with her at a pub; and
- d. He was thinking about “bikinis” and the sun.

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15. The personal emails between the Educator and Student A continued after Winter Break. From approximately January 3, 2019 through January 17, 2019, the Educator continued to communicate with Student A via personal email. These emails included, but were not limited to, the Educator:

- a. Giving Student A dating advice;
- b. Asking her to go to lunch with him;
- c. Asking her to be his Teacher's Assistant during spring semester;
- d. Discussing wanting to drink alcohol;
- e. Asking her if someone drugged her; and
- f. Asking her to run an errand with him off-campus during the school day.

16. On January 16, 2019, Student A stayed in the Educator's classroom after the school day ended while she waited for a ride home. The Educator locked the door from the outside and the Educator and Student A were the only people in the room. The Educator and Student A were discussing male students who texted Student A. The Educator made the comment "How lucky are all those guys because you like them and you don't like me." He then proceeded to slap Student A on the left buttocks. Student A was alarmed and started to leave the classroom. On her way out, the Educator hugged her.

17. Student A understood the slap as a sexual advance and told OPP that the slap was hard enough to hurt a little.

18. The Educator emailed Student A the next day asking her if she was mad at him.

19. Student A was upset about what happened and told a few close friends about the incident the following day, January 17, 2019.

20. One of these students, Student B, immediately reported the incident to another teacher at the school.

21. Another student, Student C, confronted the Educator and threw a glass of water in his face after finding out from Student A that the Educator had slapped her buttocks. The Educator told Student C that his hand accidentally hit Student A and that he was worried about his job and people knowing.

22. Throughout the school year, Student C and the Educator would talk often about Student A. Student C felt like the “third wheel” and the Educator gave Student A more attention than other students.

STUDENT D

23. Student D was a female student who was in one of the Educator’s art classes during the 2018–2019 school year.

24. The Educator and Student D communicated via personal email accounts during the 2018–2019 school year.

25. In an interview with OPP, Student D described the emails as 10 to 20 percent education related, with the remainder being personal in nature.

26. The Educator made a number of comments to Student A via email that were not school related, including but not limited to:

- a. “I will miss not seeing you. Coffee and tea with me this summer! Is that confusing?”
- b. “You’ll get some stories but you need to chime in with a few yourself. I hope you are learning some art skills from me and not just about what not to do in Canada while staggering in and out of night clubs with a camera? Remind me to tell you about Kyoto. And Oh, and the time I got raped! Kinda. Oh so much fun! LOL.”
- c. Be good for the rest of the year and you can be bad this summer...make sure I get invited. I’ll bring my camera.”

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EDUCATOR CONDUCT AND COMMENTS TO STUDENTS GENERALLY

27. In written statements to the school Principal and during interviews with an OPP investigator, multiple students said the Educator frequently discussed non-education or school related topics during class, such as:

- a. Discussing his past problems with drugs and alcohol;
- b. His physical attractiveness when he was a high school student, including how thick his thighs were and how many people were attracted to him;
- c. Telling students “I’ll tell you more when you’re 18”;
- d. Telling students “It would be cool if we could hot box the room and paint”;
- e. Oversharing about his home life, family, and marital problems; and
- f. Self-harm.

OPP AND SCHOOL DISTRICT INTERVIEWS WITH THE EDUCATOR

28. On January 22, 2019, the Educator was interviewed by the School District regarding the allegations against him involving Student A. During this interview, the Educator admitted he acted unprofessionally by communicating with Student A via personal email. However, he repeatedly placed the blame on Student A, alleging that she flirted with him and would initiate hugs, that she had “an agenda” and “liked to push herself on older men,” and that now he “sees what she was trying to do.” The Educator described the slap on Student A’s buttocks as giving her an “atta girl” slap.

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29. On January 25, 2019, the Educator was interviewed by the School District regarding allegations made against him involving Student D. He admitted to sending non-school related emails to Student D and explained he was trying to increase her school attendance by communicating with her personally via email. After the School District asked him a question about one of the emails, the Educator stated, "I want to get this over with. Will you guys just terminate me?" Shortly thereafter, the Educator resigned and turned in his computer and keys.

30. On May 1, 2019, the Educator was interviewed by an OPP investigator in the presence of the Educator's attorney regarding the allegations against him involving Student A. During the course of the interview, the Educator accused Student A of flirting with him and alleged she initiated their email communications. The Educator minimized the slap on Student A's buttocks, describing it as an "unpremeditated touch on the hip area" and not sexually motivated. He further explained that he does this "move" with his wife all the time so it is an "automatic habit." The Educator acknowledged several times during the interview that he violated school policies on student-teacher boundaries; however, he minimized his culpability and placed much of the blame on Student A.

31. On June 4, 2019, the Educator was interviewed by an OPP investigator in the presence of his attorney regarding the allegations against him involving Student D. The Educator said that some of the more personal emails were "inside jokes." He stated he was trying to help Student D set goals and increase her school attendance by communicating with her personally via email. The Educator admitted to violating the School District's boundary policy.

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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.410.010; 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. Pursuant to WAC 181-86-170, there is clear and convincing evidence that the Educator committed acts of unprofessional conduct pursuant to WAC 181-87-060 and WAC 181-87-080 when he communicated unprofessionally with specific female students, made repeated unprofessional comments to students in general, and slapped a student on the buttocks.
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.

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REINSTATEMENT of the Educator'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 or 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 6th day of September, 2019.

CHRIS REYKDAL
Superintendent of Public Instruction
State of Washington



Dierk Meierbachtol
Chief Legal Officer