



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)	OPP No. D18-03-029
)	
ANDREW MEDLEY)	FINAL ORDER
Certificate No. 354847F)	OF SUSPENSION
)	

After receiving and investigating a complaint from Arlington School District (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 ANDREW MEDLEY (Educator) engaged in acts of unprofessional conduct to include WAC 181-87-060, and does hereby SUSPEND the Educator’s Washington Education Certificate No. 354847F for not less than ninety (90) days with conditions enumerated below, based on the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. On July 25, 1997, the Educator was issued Washington Education Certificate No. 354847F. The Educator’s certificate expired on June 30, 2018. The actions described in the Findings of Fact occurred while Education Certificate No. 345847F was valid.

2. During the 2017–2018 school year, the Educator was employed by the School District at Presidents Elementary School as a Physical Education (PE) teacher.

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ANDREW MEDLEY
FINAL ORDER OF SUSPENSION

3. On March 13, 2018, the Office of Professional Practices (OPP) within the Office of Superintendent of Public Instruction (OSPI) received a complaint from Dr. Chrys Sweeting, the Superintendent of the School District, alleging the Educator committed unprofessional conduct pursuant to WAC 181-87 for making inappropriate comments about female students to a staff member and making threats to physically harm staff and students.

4. On April 6, 2010, the Educator was issued a Verbal Warning for sharing personal concerns with parents during a parent-teacher conference.

5. On May 26, 2011, the Educator was issued a Written Warning for discussing his personal financial concerns during a parent-teacher conference and for discussing personal concerns, such as his sister's health and his difficulty renewing his education certificate, with students.

6. On April 23, 2013, the Educator was issued a Written Warning for an inappropriate anger display, including mild profanity, towards school kitchen staff while students were in the area.

7. On Nov 4, 2015, the Educator was issued a Written Warning for three (3) separate events that occurred in September 2015 in the school staff lounge, among staff and away from students. The events were: making a comment that he was going to give kindergarten students broken glass, grenades, razor blades, and pocket knives as part of a lesson; holding a butcher knife to the hair of a female colleague and saying he could cut her hair; and for making comments about the bank foreclosing on his house and he was going to tell the bank that he had firearms and could shoot.

8. On June 1, 2017, the Educator was issued a two-day unpaid suspension and Letter of Reprimand for an inappropriate anger display in the staff lounge, among other staff, and for twice loudly slamming the PE office door, disrupting students' lunch.

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9. On October 3, 2017, during a PE class, the Educator asked a female staff member if she had swung on bars as a little girl because “a friend had told me little girls get an excitement out of it, like an orgasm, like what you would get as an adult during sex and that’s why girls swing on the bars.” The Educator repeated these comments to that staff member.

10. On Nov 14, 2017, the Educator was issued a Letter of Direction by Eric DeJong, School District Executive Director of Human Resources, for returning damaged School District computer equipment on more than one occasion and for allowing a family member to access School District computer equipment.

11. On November 21, 2017, a female staff member reported the Educator’s comments from October 3, 2017, to school administration.

12. On November 30, 2017, the Educator participated in an interview with School District personnel regarding the comments from October 3, 2017.

13. On November 31, 2017, the Educator participated in a second interview with School District personnel regarding the comments from October 3, 2017. During this meeting, the Educator stated, among other remarks, he had spoken with other female staff members about young female students using playground equipment.

14. On January 18, 2018, the Educator, during a conversation with a male staff member, talked about the comments of young female students on playground equipment. The Educator also made comments that he was going to “murder everyone in the building” then stated that he was going to murder everyone’s children and make them watch.

15. On January 19, 2018, the staff member reported the Educator’s comments of violence to school administration. The Educator was placed on administrative leave the same day.

16. On January 22, 2018, the District contacted Arlington Police Department and reported the Educator’s comments concerning harming staff and/or their children.

17. On January 22, 2018, the Educator was arrested by Arlington Police Department and booked into Snohomish County Jail for a charge of Harassment, Threat to Kill, felony. On February 9, 2018, the Snohomish County Prosecutor’s Office dismissed the charges.

18. On February 27, 2018, the Educator signed a *Settlement Agreement* with the School District. Per the agreement, the Educator resigned his employment immediately and would receive the remainder of his 2017–2018 salary.

19. On July 30, 2020, the Educator participated in an interview with OPP.

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.

There is clear and convincing evidence that the Educator committed acts of unprofessional conduct pursuant to WAC 181-86-170 and WAC 181-87-060

3. There is clear and convincing evidence the Educator has a behavioral problem pursuant to WAC 181-86-170, WAC 181-86-013, and WAC 181-86-014.

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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, WAC 181-86-170, WAC 181-86-013, WAC 181-86-014, and WAC 181-87-060, the Educator's education certificate should be suspended for unprofessional conduct and for having a behavioral problem which endangers the educational welfare or personal safety of students, teachers, or other colleagues within the educational setting.

III. ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate No. 354847F of ANDREW MEDLEY is **SUSPENDED**. The Educator may not request reinstatement of his education certificate for at least ninety (90) days from the effective date of this ORDER.

REINSTATEMENT of ANDREW MEDLEY'S education certificate shall require:

- (1) 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;
- (2) The Educator shall provide written consent for OPP to release documents to the provider for purposes of completing the evaluation;

- (3) 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;
- (4) 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;
- (5) The Educator must submit a new application, including Character and Fitness Supplement, provided by OPP;
- (6) The Educator must complete a fingerprint-based criminal background check through both the Federal Bureau of Investigation and the Washington State Patrol;
- (7) 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
- (8) The Educator shall assume all costs of complying with the requirements of this Order.

DATED this 26 day of August, 2021.

CHRIS REYKDAL
Superintendent of Public Instruction
State of Washington



Tennille Jeffries-Simmons
Chief of Staff