



SUPERINTENDENT OF PUBLIC INSTRUCTION

RANDY I. DORN 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. D11-04-023
)	
Anthony Benson)	AGREED ORDER
Certificate No. 242155J)	OF SUSPENSION
)	

The Office of Superintendent of Public Instruction (OSPI), 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 OSPI, its Office of Professional Practices (OPP), and Anthony Benson, that the Washington Education Certificate No. 242155J, of Anthony Benson, shall be suspended for six (6) months based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. Anthony Benson was issued a Washington Education Certificate, No. 242155J, on August 15, 1980. That certificate currently remains valid.
2. Anthony Benson was employed by the Central Valley School District from the 1982-1983 school year through the 1993-1994 school year; OPP D94-06-100.
3. Anthony Benson was employed by the Puget Sound Educational Service District as an after-school Site Coordinator at the Puget Sound Educational Service District and by the Tacoma Public Schools as a substitute teacher.



4. On or about June 3, 1994, OSPI received a letter from the Superintendent of the Central Valley School District alleging an act of inappropriate conduct, by Anthony P. Benson; OPP D94-06-100.

5. On or about July 13, 1994, Anthony P. Benson was issued a Notice of Probable Cause for Discharge by the Superintendent of the Central Valley School District. On November 16, 1994, Anthony P. Benson was issued an Amended Notice of Probable Cause for Discharge by the Superintendent of the Central Valley School District; OPP D94-06-100

6. On or about January 23, 1995, Anthony P. Benson dismissed his appeal, entered into a settlement agreement with the Central Valley School District and resigned from the school district.

7. On May 9, 1995, a civil suit was filed in Spokane County Superior Court alleging tortious conduct by Anthony Benson and the Central Valley School District for the incident on or about May 3, 1994; Spokane County Superior Court Cause No. 95-2-02548-4

8. On or about April 7, 1997, the Kent School District Superintendent formally placed Mr. Benson on administrative leave for the remainder of the school year regarding incorrect employment application information.

9. On or about July 1, 1997, a Findings of Fact and Conclusions of Law was filed in Spokane County Superior Court, Cause No. 95-2-02548-4. The Plaintiff was awarded \$11,000.00.

10. On May 25, 2001, the Office of Professional Practices, within OSPI, issued Anthony Benson a Proposed Order of Suspension; OPP D94-06-100 and D97-06-106. On June 29, 2001, Anthony Benson appealed the Proposed Order of Suspension.

11. On November 16, 2001, the Admissions and Professional Conduct Advisory Committee (APCAC), after hearing oral argument and reviewing presented documentation, issued a Proposed Final Order of Suspension to Anthony Benson. The Proposed Final Order of Suspension stated that Anthony Benson's education certificate, 242155J, was to be suspended. Anthony Benson appealed the Proposed Final Order of Suspension;

12. On December 6, 2003, a Stipulation for Order of Dismissal for OPP D94-06-100 and D97-06-106 was agreed to and signed by Anthony Benson. In the Stipulation for Order of Dismissal, Anthony Benson agreed to conditions for reinstatement. Anthony Benson had previously completed these criteria and the suspension of certificate 242155J was retroactively suspended starting November 16, 2001 to December 6, 2003; OPP D94-06-100 and D97-06-106. The Stipulation for Order of Dismissal for OPP D94-06-100 and D97-06-106 did not address employment applications or resignations of Anthony Benson.

13. On the September/October 2008 application for employment, Anthony Benson stated that the reason for leaving employment with Kent School District was "Started own business."

14. On the accompanying September/October 2008 disclosure statement, Anthony Benson answered 'No' to the question of "Have you ever been a party to, or are you currently a party in, or do you anticipate becoming a party in, litigation?" Anthony Benson answered 'Yes' to the questions of "Have you ever been placed on administrative leave and/or suspended pending investigation of allegations of misconduct?" and "Have you ever had any license or certificate of any kind revoke[d], suspended or reprimanded or have you in any way been sanctioned by, or is any charge or complaint now pending against you, before any licensing, certification or other regulatory agency, or body, public or private?". In his explanation of the 'Yes' answers, Anthony Benson stated, "While at Central Valley School District I was a victim of Institutional Racism. The district compensated (sic) me monetarily (sic) and I resigned from the district. See Gayle Elijah." OSPI disagrees with the veracity of the statements made by Mr. Benson on his September/October 2008 disclosure statement and has entered into a settlement accordingly regarding the alleged misconduct.

15. On September 10, 2009, the Puget Sound Educational Service District (PSESD) received Anthony Benson's application for employment as an After School Site Coordinator. On the application, under Experience, Anthony Benson stated the reason for

leaving employment with Central Valley School District was “Experienced Institutional Racism” and stated the reason for leaving employment with the Kent School District was “Started my own business.”

16. On the 2009 Disclosure Statement, for the PSESD application for employment, in explaining a “Yes” answer to the questions of “Have you ever been placed on administrative leave and/or suspended pending investigation of allegations of misconduct?” and “Have you ever had any license or certificate of any kind revoke, suspended, or reprimanded . . . ?”, Anthony Benson stated “There was a false allegation against me, which I was cleared of in a court of law, while at Central Valley School District in Spokane. I decided not to stay with the district. The state investigated the allegation and unsuspended my certificate.” OSPI disagrees with the veracity of the statements made by Mr. Benson on his Disclosure Statement for the PSESD application for employment and has entered into a settlement accordingly regarding the alleged misconduct.

17. On September 22, 2010, Anthony Benson was placed on administrative leave by PSESD.

18. On March 16, 2011, Anthony Benson was issued a letter by Monte Bridges, PSESD Superintendent, stating that Anthony Benson’s employment was terminated effective March 31, 2011.

19. On April 21, 2011, the Office of Professional Practices, within OSPI, received a complaint letter from the superintendent of the Puget Sound Educational Service District (PSESD) alleging a lack of good moral character or personal fitness, or a violation of the Code of Professional Conduct, Washington Administrative Code (WAC) 181-87, by Anthony Benson.

20. Professional conduct is a continuing requirement to maintain a Washington Education Certificate. RCW 28A.410.090, WAC 181-86- 070; WAC 181-87-050.

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Anthony Benson and over the subject matter of this action.

2. The Parties agree that the Washington Education Certificate No. 242155J, of Anthony Benson, should be suspended for unprofessional conduct. RCW 28A.410.090, WAC 181-86- 070; WAC 181-87-050.

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ORDER

THEREFORE, it is hereby agreed that the Washington Education Certificate, No. 242155J, of Anthony Benson be suspended for six (6) months, effective upon the date of signature of both parties.

REINSTATEMENT shall require: submission of a new application, including Character and Fitness Supplement, with answers agreed upon between OPP and Mr. Benson, having Anthony Benson's fingerprints checked by both the Federal Bureau of Investigation and the Washington State Patrol. Reinstatement shall also be contingent upon Anthony Benson's fingerprint background check returning with no criminal convictions that are listed in WAC 181- 86-013, RCW 28A.410.090, or any felony convictions. Provided that Mr. Benson meets all above-listed requirements for reinstatement, his certificate shall be reinstated.

DATED this 9th day of December, 2015.

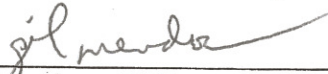
Stipulated to and
approved for entry:



Anthony Benson, Appellant

Dated: 11/25/2015

RANDY DORN
Superintendent of Public
Instruction State of Washington

By: 
Gil Mendoza, Ed.D.
Deputy Superintendent,
K-12 Education

Dated: 12/9/2015

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7 **STATE OF WASHINGTON**
8 **OFFICE OF ADMINISTRATIVE HEARINGS**
9 **FOR OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION**

10 IN THE MATTER OF:

11 ANTHONY P. BENSON
12 CERTIFICATION NO. 242155J

OSPI CAUSE NO. 2014-TCD-0006

OAH DOCKET NO. 12-2014-OSPI-00045

SETTLEMENT AGREEMENT

13 COME NOW the parties to this matter, the Office of Professional Practices,
14 Superintendent of Public Instruction, and Anthony Benson, by and through their undersigned
15 counsel, and agree to enter into this settlement agreement, wherein Mr. Benson voluntarily
16 dismisses his appeal under Cause No. 2014-TCD-0006. The Parties stipulate to the following
17 conditions of dismissal:

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- 19 1. Mr. Benson and the Office of Superintendent of Public Instruction (OSPI), as a part
20 of this settlement, have entered into an agreed order of suspension of Mr. Benson's
21 teaching certificate for six (6) months, effective upon signature of both parties, for
22 falsification of material facts on employment applications to Puget Sound
23 Educational Service District and Tacoma Public Schools.
 - 24 2. The Parties agree that this settlement provides that the allegations and/or findings of
25 fact made part of Mr. Benson's public records in this matter related to alleged
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1 misrepresentations or falsifications to Gayle Elijah and/or OSPI Investigator Shaun
2 Harman, or alleged inappropriate conduct with students shall have no factual or
3 legal effect in current findings of fact or conclusions of law of Cause No. 2014-
4 TCD-0006, nor be used in subsequent disciplinary proceedings or investigations.
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6 3. The Parties Acknowledge that Findings of Fact and Conclusions of Law contained
7 in OAH Orders in Cause No. 2014-TCD-0006 shall have no binding factual or legal
8 effect in future investigations or disciplinary proceedings.
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10 4. In order to be reinstated, Mr. Benson shall be required to complete an application
11 and Good Moral Character and Personal Fitness Supplement with answers agreed
12 upon between Mr. Benson and OSPI.

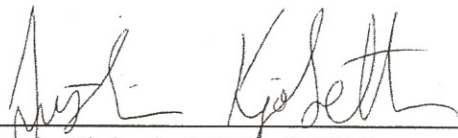
13 5. In furtherance, reinstatement shall require having Anthony Benson's fingerprints
14 checked by both the Federal Bureau of Investigation and the Washington State
15 Patrol. Reinstatement shall also be contingent upon Anthony Benson's fingerprint
16 background check returning with no criminal convictions that are listed in
17 WAC 181-86-013, RCW 28A.410.090, or any felony convictions.
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19 6. The Parties agree that in the future, it shall not be an act of unprofessional conduct
20 for Mr. Benson to answer, on future applications for employment, that he chose to
21 resign as a part of a settlement agreement with Central Valley School District
22 (CVSD); Mr. Benson is not required to state that he was terminated or resigned
23 in lieu of termination from CVSD.
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25 7. The Parties agree that in the future, Mr. Benson will disclose that when working at
26 Kent School District, he was placed on administrative leave until his contract

1 expired. If asked, Mr. Benson will disclose that Kent School District took the
2 position that he incorrectly filled out his employment application. However,
3 Mr. Benson may also state that the allegation did not result in a finding of
4 falsification or unprofessional conduct.
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14 Dated: 11/20/2015

14 By: 
15 Justin Kjolseth, WSBA #46859
16 Assistant Attorney General
17 Attorneys for Office of Superintendent of
Public Instruction

18 Dated: 11/20/2015

18 By: 
19 Anthony Benson
20 Appellant
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