



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)
APPLICATION OF)
DEXTER BROWN)
DOB: [REDACTED] 1954)

OPP No. A02-07-0371

DENIAL ORDER
FOR CERTIFICATION

COMES NOW 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 deny the education application of DEXTER BROWN based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. Dexter Brown applied for a Washington education certificate on June 18, 2002.
2. On the Character and Fitness Supplement, a part of the application process, Mr. Brown answered "yes" to questions 8, 10, and 11, Section II (Professional Fitness). Question 8 reads: "Have you ever been dismissed, discharged, or fired from any employment position involving children or dependent adults?" Question 10 reads: "Have you ever been disciplined by a past employer because of allegations of misconduct?" Question 11 reads: "Are you currently or have you ever been the subject of any investigation or inquiry by an employer because of allegations of misconduct?"

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3. Mr. Brown included a statement in regards to his "yes" answers. The following was derived from his statement:

In 1990, I was falsely accused of taking a student to Florida for the weekend during the school year.

Five years later teaching and coaching in the same school, I approached a student about having an affair with one of my players. She got upset and made the allegation about that she and I got together one weekend. This allegation was also false.

In 1995, I have never had knowledge of facts about any student sexual relations other than ones we hear around school. All teachers hear rumors.

In March 1995, I never had a player meet at my home for nothing. In this situation my teenage brother stayed in my home for a year. I took a trip one weekend for a coaching clinic. My brother had a party in my house without my permission. I believe some of my players attended the party.

I have never had a relationship with any alumnus. The females in this place are so mental I have nothing to say other than nothing happened.

4. Dexter Brown was employed by Girls & Boys Town Schools in Boys Town Nebraska. Mr. Brown was terminated from employment with Boys Town on or about June 5, 1996. Mr. Brown signed a consent form for OPP to discuss his termination with Boys Town. Boys Town provided OPP with information pertaining to his termination. Mr. Brown was terminated from employment for violating Boys Town Schools work rules contained in Policy #21600, entitled "Work Rules and Corrective Actions":

- 1a. Failure to comply with a reasonable order...
- 1b. Gross negligence in the performance of duties.
- 1g. Any action inconsistent with Boys Towns stated mission and policy of providing a nurturing and protected place for children to live, learn, and receive diagnosis and treatment.

1q. Any on or off-the-job behavior grossly inconsistent with Boys Town's programs or role modeling for youth.

5. On June 1, 1996, Boys Town School alleged that Dexter Brown was calling an alumnus and having a relationship with her that included sexual relations. An investigation was conducted by the Program Auditor on June 4, 1996. The auditor concluded that the event happened, and that there was a policy/procedure violation. The following was derived from the auditor's investigation:

Dexter Brown violated clear directives from his supervisor not to be in contact with female youth. Mr. Brown admits to calling the victim on several occasions. The victim claims they had sexual intercourse in a car.

The auditor recommended termination of Mr. Brown's employment with Boys Town. On June 5, 1996, the Program Manager gave Mr. Brown a letter of termination.

6. Boys Town School alleged that on March 31, 1995 Dexter Brown did not report knowledge of sexual behavior between students, and had players at his residence to meet girls.

An investigation was conducted by the Program Auditor. The auditor concluded that the allegations were unsubstantiated. A follow up-up meeting was conducted with Mr. Brown giving him feedback.

7. On May 23, 1994, Boys Town School alleged that Dexter Brown made inappropriate sexual remarks to a female student. An investigation was conducted by the Program Auditor. The auditor concluded that several of the allegations were unsubstantiated. It was substantiated that a student "flipped off" Mr. Brown and he replied with a sexual remark. The following was derived from the auditor's investigation:

It appears as though Mr. Brown has become quite casual in relationships with students and fails to teach. Students can perceive

him as a friend, or in the case of one student as a "come-on".
Mr. Brown has had earlier difficulties with this issue.

The auditor recommended a letter of warning and submission of a letter of apology from Mr. Brown.

8. In 1991 Boys Town School alleged that Dexter Brown had an unprofessional relationship with a female student. The Program Auditor conducted an investigation. The following was derived from the auditor's investigation:

Mr. Brown gave a female student a ride in his car, he gave her a ring, etc. This created a situation that made the female student uncomfortable. Mr. Brown should have been uncomfortable but wasn't.

The Program Auditor recommended a letter of warning be given to Mr. Brown.

9. In a letter dated December 24, 2002, Randolph M. Scott, Director of Human Resources of Boys Town stated that "Boys Town requires employees to maintain the highest standards of professional conduct in the care and treatment of youth and families". Mr. Scott indicated that Mr. Brown did not use good judgment nor did he meet the expectations required of an employee of Boys Town.

10. Good moral character and personal fitness is a requirement to attain a Washington education certificate.

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Dexter Brown and over the subject matter of this action.

2. Dexter Brown has failed to provide clear and convincing evidence of good moral character or personal fitness to receive a Washington education certificate, Washington Administrative Code (WAC) 180-86-170.

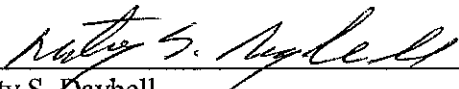
ORDER

THEREFORE, it is hereby ordered that the application for certification of Dexter Brown is denied.

This order may be appealed within thirty (30) calendar days from the date of receipt, pursuant to Chapter 180-86 WAC, copy enclosed.

DATED this 21st day of July, 2003.

DR. TERRY BERGESON
Superintendent of Public Instruction
State of Washington

By: 
Marty S. Daybell
Deputy Superintendent, Administration & Operations
Chief Information Officer