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. D07-07-075
	)	AGREED ORDER OF SUSPENSION
Brian Morrow Certificate No. 338543B	)	

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 Brian Morrow, that the Washington Education Certificate, No. 338543B, of Brian Morrow, shall be suspended, based on the Findings of Fact and Conclusions of Law set forth below:

FINDING OF FACTS

1. Brian Morrow was issued a Washington Education Certificate, No. 338543B, on June 21, 1995. That certificate currently remains valid.

2. Brian Morrow was employed by the Clarkston School District.

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3. On July 27, 2007, the Office of Professional Practices, within OSPI, received a complaint letter from the Superintendent of the Clarkston School District 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 Brian Morrow.

4. During the 2002-2003 and 2003-2004 school years, [redacted] was a student in Brian Morrow's Clarkston School District classroom at Lincoln Middle School. [redacted] was also a student at Brian Morrow's karate instruction school.

5. During the 2003-2004 school year, Brian Morrow engaged in inappropriate interactions with [redacted] Brian Morrow denies that he had inappropriate interactions with [redacted]

6. In June of 2004, [redacted] was removed as a student from Brian Morrow's karate instruction school by Brian Morrow and his wife, Noriko Morrow.

7. During the 2004-2005 school year, [redacted] was a student in Brian Morrow's Clarkston School District classroom at Lincoln Middle School. [redacted] was also a student at Brian Morrow's karate instruction school.

8. During the 2004-2005 and 2005-2006 school years, Brian Morrow engaged in inappropriate interactions with [redacted] Brian Morrow denies that he had inappropriate interactions with [redacted].

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9. During the summer months of 2006, Brian Morrow engaged in inappropriate interactions with [redacted] [redacted] was a Clarkston School District student at the time but was no longer a member of Brian Morrow's karate instruction school. Brian Morrow denies that he had inappropriate interactions with [redacted]

10. In October of 2006, Clarkston School District initiated an investigation into allegations of professional misconduct by Brian Morrow. On October 2, 2006, Brian Morrow was placed on administrative leave by the Clarkston School District.

11. In October 2006, the Clarkston, Washington Police Department initiated a criminal investigation into allegations of sexual contact by Brian Morrow with [redacted] in 2003-2004. On October 4, 2006, an Affidavit of Probable Cause was filed in Asotin County Superior Court.

12. On December 1, 2006, an Information was filed in Asotin County Superior Court charging Brian Morrow with Rape of a Child 3rd Degree, Revised Code of Washington (RCW) 9A.44. 079, and Child Molestation 3rd Degree, RCW 9A.44.089; Asotin County Superior Court Cause Number 06-01-00179-8.

13. On February 12, 2007, an Amended Information and Affidavit of Probable Cause were filed in Asotin County Superior Court charging Brian Morrow with Rape of a Child 3rd Degree, Revised Code of Washington (RCW) 9A.44. 079, and Child Molestation 3rd Degree, RCW 9A.44.089; Asotin County Superior Court Cause Number 06-01-00179-8.

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14. On February 23, 2007, after a jury trial, Brian Morrow was found not guilty of Rape of a Child 3rd Degree and Child Molestation 3rd Degree; Asotin County Superior Court Cause Number 06-01-00179-8.

15. On July 15, 2007, Clarkston School District issued Brian Morrow a Notice of Probable Causes for Discharge. Brian Morrow filed an appeal of the notice of probable cause.

16. On January 7, 2008, the hearing officer issued his decision upholding the Clarkston School District employment discharge. Brian Morrow appealed the hearing officer decision to Asotin County Superior Court.

17. On October 27, 2008, after submitting application for certification to the State of Idaho, the Idaho State Department of Education sent Brian Morrow a letter advising that his application for certification had been denied.

18. On June 19, 2009, the Asotin County Superior Court upheld the termination from Clarkston School District.

19. In February of 2010, Brian Morrow was provided an opportunity to participate in an interview with an OPP investigator. Brian Morrow declined to participate in an interview.

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

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CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Brian Morrow and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence that Washington Education Certificate, No. 338543B, of Brian Morrow, should be suspended as provided for in WAC 181-86-070.

3. Brian Morrow has violated WAC 181-87-060, RCW 28A.410.090, WAC 181-86-013, and/or WAC 181-86-014.

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ORDER

THEREFORE, it is hereby ordered and agreed that the Washington Education Certificate, No. 338543B, of Brian Morrow, be suspended for twenty-four (24) months from the date of entry of this Order.

REINSTATEMENT will require: (1) successful completion of a psychological evaluation which validates Brian Morrow's ability to have unsupervised access to students, by a treatment provider mutually agreed upon by OPP and Brian Morrow; (2) successful completion and/or continued compliance of any and all recommended treatment; (3) that Brian Morrow provide written consent for OSPI to release documents to the evaluator for purposes of completing an evaluation and/or course of treatment; (4) that Brian Morrow provides written consent authorizing OPP to have access to records of any and all subsequent treatment undertaken; (5) training on appropriate/inappropriate interactions with students, to be provided by a provider mutually agreed upon by OPP and Brian Morrow; (6) and that the cost of conformance to all reinstatement requirements will be the responsibility of Brian Morrow.

AND Reinstatement shall (also) require submission of a new application, including Character and Fitness Supplement, provided by OPP and having Brian Morrow's fingerprints be checked by both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP). Reinstatement shall be also contingent upon Brian Morrow's fingerprint background check returning with no criminal convictions that are listed in WAC 181-86-013, RCW 28A.410.090, and/or any felony convictions.

DATED This _____

Please do not date – Thank you.

Stipulated to and approved
For entry:

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Brian Morrow, Respondent

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Edward Shea, Jr., Attorney for Respondent
WSBA # 23704

DATED This 12th day of May, 2010.

RANDY I. DORN
Superintendent of Public Instruction
State of Washington

Martin T. Mueller
Assistant Superintendent
Student Support