



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)	
CERTIFICATE OF)	OPP No. D06-01-008
)	
Charles Murphy)	FINAL ORDER OF
Certificate No. 415359R)	PERMANENT REVOCATION
)	

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 permanently revoke the Washington Education Certificate, No. 415359R, of Charles Murphy, based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. Charles Murphy was issued a Washington Education Certificate, No. 415359R, on March 16, 2004. That certificate currently remains valid.
2. Charles Murphy was employed by the Bainbridge Island School District.
3. On January 19, 2006, the Office of Professional Practices (OPP), within OSPI, received a complaint letter alleging a lack of good moral character or personal fitness, or a violation of the

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Code of Professional Conduct, Washington Administrative Code (WAC) 181-87, by Charles Murphy.

4. On January 13, 2006, officers with the Bainbridge Island Police Department served a search warrant at Mr. Murphy's residence. During the search, a computer identified as belonging to Mr. Murphy was seized as evidence.

5. On January 18, 2006, a detective with the Seattle Police Department conducted a forensic examination of Mr. Murphy's personal computer. During the forensic examination, the detective discovered depictions of young boys engaged in sexually explicit conduct.

6. On January 18, 2006, during an interview with Bainbridge Island Police Department detectives, Mr. Murphy acknowledged that he was knowingly in possession of depictions of minors engaged in sexually explicit conduct. Mr. Murphy was arrested and booked into the Kitsap County Jail.

7. On January 19, 2006, Mr. Murphy was placed on administrative leave by Bruce Colley, Assistant Superintendent for Administrative Services.

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8. On January 19, 2006, detectives with the Bainbridge Island Police Department served a search warrant on Mr. Murphy's classroom at Bainbridge High School. During the search warrant execution, a video with depictions of nude prepubescent males engaged in sexually explicit activity was located.

9. On January 19, 2006, an Information and Certificate of Probable Cause was filed in Kitsap County Superior Court charging Mr. Murphy with three counts of Possession of Depictions of Minor Engaged in Sexually Explicit Conduct, Revised Code of Washington (RCW) 9.68A.070; Cause No. 06-1-00092-5.

10. On February 9, 2006, Mr. Murphy was issued a letter of determination of probable cause for termination of employment by Dr. Ken Crawford, Superintendent of the Bainbridge Island School District.

11. On February 11, 2006, Mr. Murphy filed written notice with the Bainbridge Island School District that he wished to appeal the notice of termination.

12. On October 27, 2006, Mr. Murphy pleaded guilty to three (3) counts of Possession of Depictions of Minor Engaged in Sexually Explicit Conduct, RCW 9.68A.070, in Kitsap County Superior Court; Cause No. 06-1-00092-5.

13. October 27, 2006, Mr. Murphy was found guilty in Kitsap County Superior Court of three (3) counts of Possession of Depictions of Minor Engaged in Sexually Explicit Conduct, RCW 9.68A.070, and sentenced to: three months incarceration on each count, to be served concurrently; community custody for twelve months, after release from incarceration, with the Washington State Department of Corrections; \$1300 court costs; register as a sex offender with the sheriff of the county of the state of Washington where he will reside upon release from incarceration; and other conditions of sentencing; Kitsap County Superior Court Cause No. 06-1-00092-5.

14. Charles Murphy has pleaded guilty or been convicted of a crime identified in Revised Code of Washington (RCW) 28A.410.090(3). Such a plea or conviction authorizes OSPI to permanently revoke the Education Certificate.

15. 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 Charles Murphy and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence that the Washington Education Certificate, No. 415359R, of Charles Murphy, should be revoked, as provided for in WAC 181-86-075.

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

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ORDER

It has been thirty days since the Proposed Order of Permanent Revocation was received. The appeal time period has passed. It is hereby ordered that the Washington Education Certificate, No. 415359R, of Charles Murphy is permanently revoked.

DATED This 8th day of January, 2007.

DR. TERRY BERGESON
Superintendent of Public Instruction
State of Washington



Martin Mueller
Assistant Superintendent
Student Support and Operations