



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. D05-08-093
)	
)	AGREED ORDER
Craig McClung)	OF SUSPENSION
Certificate No. 326891R)	
_____)	

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 Craig McClung, that the Washington Education Certificate, No. 326891R, of Craig McClung, shall be suspended, based on the Findings of Fact and Conclusions of Law set forth below:

FINDING OF FACTS

2. Craig McClung was issued a Washington Education Certificate, No. 326891R, on January 14, 1994. This certificate currently remains valid.

3. Craig McClung was employed by the Federal Way School District.

CRAIG McCLUNG
 AGREED ORDER OF SUSPENSION



3. On August 10, 2005, the Office of Professional Practices, within OSPI, received a complaint letter from the superintendent of the Federal Way 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) 181-87-060(1) and (WAC) 181-87-080, by Craig McClung.

4. During the school years, 2003-04 and 2004-05, Mr. McClung made inappropriate comments to Laura Lee Faber, a para-educator. Mr. McClung stated that it was a poor judgment call on his part and he should have just talked to her about walking through his classroom.

5. During the school years, 2003-04 and 2004-05, Mr. McClung made inappropriate comments to Sandra Yula, a para-educator.

6. During the 2004-05 school year, Mr. McClung participated in inappropriate conversations with Ms. Yula and Kyle Hills, para-educators. These conversations took place in the presence of students.

7. Sometime around February 2005, Mr. McClung made an inappropriate comment to Aimee Hecimovich, a para-educator.

8. During the 2004-05 school year, on several occasions, Mr. McClung would take a rubber penis, that he used for sex education, and wave it around in the air, saying "woohoo". He would do this in the presence of students and para-educators. Mr. McClung stated that he wanted the sex education lessons to be low key, and to have his students be comfortable with the subject of

sex. Mr. McClung stated that joking with the rubber penis was done to get a laugh from the students; and he says that it did accomplish that.

9. During the 2004-05 school year, Mr. McClung told inappropriate jokes in his classroom, with students and para-educators present. Mr. McClung again explained that the joking was a way of relieving stress. His students did not understand the jokes and they were for the benefit of the para-educators in the room.

10. During the 2004-05 school year, Mr. McClung told a special education student, SJ, to "go home and think about sex." Mr. McClung stated that this conversation was a bad judgment call on his part. He said that it was more for the benefit of the para-educator that was with SJ. Mr. McClung had been dealing with several students when the para-educator came in with SJ to get homework for her. After telling the para-educator several time that there was no homework, Mr. McClung responded out of total frustration just to get her off his back. He regretted saying it as soon as he said it.

11. During the 2003-04 and 2004-05 school years, Mr. McClung made inappropriate comments to TP, a 17 year old special education student.

12. In January or February of 2005, Mr. McClung hand fed TP, a piece of red licorice and slid it in and out of her mouth, simulating oral sex. Mr. McClung made a comment to the student about not using her teeth. Mr. McClung does admit that there had been a lot of mutual sexual bantering in his classroom and he takes responsibility for allowing it to occur. Mr. McClung, however, adamantly denies ever sliding the licorice in and out of TP's mouth or touching the

licorice. He did say that her manner of eating the licorice did remind him of oral sex, and he did make a comment similar to “don’t bite the end” or “be careful not to bite the end”.

13. During the 2004-05 school year, Mr. McClung made comments about a 16 year old female student, EJ. Mr. McClung would say that he thought she would be, “a wild one,” “a wildcat,” or “a screamer.” Because of this student’s outbursts of profanity, Mr. McClung has commented, “I like it when you talk dirty.”

14. In October or November of 2004, Mr. McClung climbed up on a bookcase in his classroom. He did this so he could observe a female student masturbating in the back room. Mr. McClung did this 2-3 times, and each time, he acted “entertained” and made jokes about the situation. Mr. McClung stated that he did climb up on the bookcase to check on EJ. The area that was walled off was also used as a kitchen and he didn’t want her getting into things. He did confirm that she was masturbating and did make a joke about it, but didn’t stand there and watch her. Mr. McClung stated that he did tell her to stop and explained to her that her behavior was unacceptable in public.

15. On May 13, 2005, Mr. McClung was placed on paid administrative leave.

16. On July 13, 2005, Mr. McClung submitted a letter of resignation to the Federal Way School District, effective immediately.

17. On June 22, 2006, Mr. McClung provided an interview with OPP. Mr. McClung explained that a lot of the sexual conversations involved all three of the para-educators. He

stated that Ms Yula and Mr. Hills even initiated some of the conversations. Mr. McClung said that he had no idea the para-educators were offended by his comments since they willingly participated, he had asked them if his comments offended them, and they never stated that they were offended.

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

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Mr. McClung and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence that the Washington Education Certificate, No. 326891R, of Mr. McClung, should be suspended as provided for in WAC 181-86-070.

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

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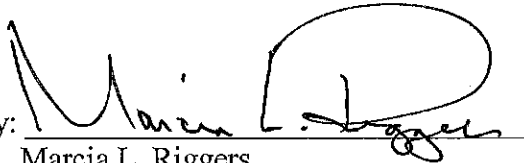
ORDER

THEREFORE, it is hereby ordered and agreed that the Washington Education Certificate, No. 326891R, of Mr. McClung, be suspended for twelve (12) months.

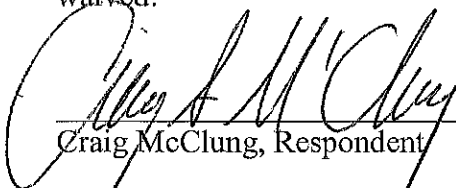
Reinstatement shall require successful completion of: (1) a psychological evaluation, which validates Mr. McClung's ability to have unsupervised access to children, by an evaluator mutually agreed upon by the Office of Professional Practices (OPP) and Mr. McClung; (2) that Mr. McClung follows and completes any and all treatment recommended in the evaluation; (3) that Mr. McClung signs a release authorizing OPP to release all files, pertaining to him, to the mutually agreed evaluator, prior to such an evaluation; (4) that Mr. McClung provides a release authorizing OPP to have access to records of any and all evaluations and any and all subsequent treatment undertaken; (5) successful completion of boundary issue training; (6) successful completion of sexual harassment training; (7) that the cost of conformance to all reinstatement requirements will be the responsibility of Mr. McClung; (8) reinstatement shall (also) require submission of a new application, provided by OPP and having Mr. McClung's fingerprints be checked by both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP).

DATED This 12th day of September 2006.

DR. TERRY BERGESON
Superintendent of Public Instruction
State of Washington

By: 
Marcia L. Riggers
Assistant Superintendent
Student Support and Operations

Stipulated to and approved
For entry; notice of presentation
waived:


Craig McClung, Respondent

CRAIG McCLUNG
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