



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. D11-01-004
)	
)	AGREED ORDER
Fred Locke, Jr.)	OF SUSPENSION
Certificate No. 212926J)	
)	

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 Fred Locke, Jr., that the Washington Education Certificate, No. 212926J, of Fred Locke, Jr., shall be suspended, based on the Findings of Fact and Conclusions of Law set forth below:

FINDING OF FACTS

1. Fred Locke, Jr. was issued a Washington Education Certificate, No. 212926J, on September 1, 1975. That certificate currently remains valid.
2. On January 27, 2011, the Office of Professional Practices (OPP), within OSPI, received information through the National Association of State Directors of Teacher Education and Certification (NASDTEC) database, that the state of Oregon had taken action against Fred Locke, Jr.'s Oregon Teaching Certificate.

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3. On December 12, 2008, Fred Lock, Jr., while serving as a substitute teacher in the Portland Public Schools, used school district computer equipment to access and view images depicting sexually explicit conduct.

4. Later in the day, on December 12, 2008, a student inadvertently viewed the images depicting sexually explicit conduct.

5. On January 7, 2009, Fred Locke, Jr. resigned his employment with the Portland Public Schools.

6. On January 12, 2009, the Portland Public School notified Oregon Teacher Standards and Practices Commission (TSPC) of the allegations of misconduct by Fred Locke, Jr. TSPC initiated an investigation.

7. On March 11, 2009, Fred Locke, Jr. met with a TSPC investigator. During the interview, Fred Locke, Jr. admitted to using Portland Public Schools computer equipment to access and view images depicting sexually explicit conduct. Fred Locke, Jr. admitted to having engaged in this type activity during previous substitute teaching assignments.

8. On March 16, 2009, Fred Locke, Jr. surrendered his Oregon education license to TSPC.

9. On November 5, 2010, Oregon TSPC issued a Stipulation of Facts, and Order Of Suspension, suspending Fred Locke Jr.'s Oregon education license for one (1) year. Fred Locke, Jr. had signed the Stipulation of Facts, and Order Of Suspension on June 15, 2010.

10. On February 28, 2011, OPP contacted Fred Locke, Jr. and advised him of his opportunity to respond to the allegations of misconduct, as per Revised Code of Washington (RCW) 28A.410.090. Fred Locke, Jr. declined to participate in an interview or provide a written statement to OPP and referred to his TSPC interview.

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

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Fred Locke, Jr. and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence that Washington Education Certificate, No. 212926J, of Fred Locke, Jr., should be suspended as provided for in WAC 181-86-070.

3. Fred Locke, Jr. has violated RCW 28A.410.090, WAC 181-87-060, 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. 212926J, of Fred Locke, Jr., be suspended for twelve (12) months from the date of entry of this Order.

Reinstatement shall require submission of a new application, including Character and Fitness Supplement, provided by OPP and having Fred Locke, Jr.'s fingerprints be checked by both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP). Reinstatement shall also be contingent upon Fred Locke, Jr.'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 16th day of March, 2011.

RANDY I. DORN
Superintendent of Public Instruction
State of Washington

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

Fred C. Locke Jr.
Fred Locke, Jr., Respondent

By: Martin T. Mueller
Martin T. Mueller
Assistant Superintendent
Student Support