



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. D11-03-017
)	
ARTHUR FRIEDLEY)	FINAL ORDER
Certificate No. 357930G)	OF SUSPENSION
)	

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 suspend the Washington Education Certificate No. 357930G, of Arthur Friedley for six (6) months based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. Arthur Friedley was issued a Washington Education Certificate, No. 357930G, on December 16, 1997. That certificate currently remains valid.
2. Arthur Friedley was employed by the Clover Park School District.
3. On March 29, 2011, the Office of Professional Practices, within OSPI, received a complaint letter from the superintendent of the Clover Park 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 Arthur Friedley.

ARTHUR FRIEDLEY
FINAL ORDER OF SUSPENSION



4. During the 2000-2001 school year, Arthur Friedley engaged in inappropriate conduct toward a female middle school student. The conduct included, but was not limited to, giving her hugs, brushing his hand across her chest and being too personal with her.

5. On February 14, 2001, Arthur Friedley received a Formal Letter of Reprimand from Carole Burger, Administrator for Human Resources, for inappropriate behavior directed toward students.

6. During May, 2001, the district completed an investigation into complaints from two (2) female middle school students that Arthur Friedley engaged in unwelcome conduct toward them. The investigation was inconclusive and Arthur Friedley was not disciplined.

7. During the 2006-2007 school year, Arthur Friedley engaged in inappropriate conduct toward female middle school students. This conduct included, but was not limited to, touching the student's hair and shoulders, looking down female student's shirts and using terms of endearment.

8. On March 19, 2007, Arthur Friedley received a Letter of Reprimand from Carole Burger, Administrator for Human Resources, for behavior that was becoming inappropriate and threatening to students. The Letter of Reprimand directed him to undergo a district funded mental health evaluation and treatment to address his conduct.

9. On April 21, 2007, Arthur Friedley consulted with a mental health provider but district records do not show any indication of follow-up treatment.

10. On June 29, 2007, Arthur Friedley attended a school district in-service entitled, "Issues of Abuse: What the Educator Needs to Know."

11. During the 2009-2010 and 2010-2011 school year, Arthur Friedley gave candy to students in exchange for box tops for education, a fundraiser for the school district. Students would frequently visit his classroom during and after the school day to exchange the box tops for candy.

12. During the 2009-2010 school year, Arthur Friedley engaged in inappropriate conduct toward two (2) female middle school students. This conduct included, but was not limited to, squeezing student's shoulders, rubbing student's backs and shoulders and using terms of endearment.

13. On April 22, 2010, Arthur Friedley received a Letter of Reprimand from Douglas Kernutt, Administrator for Human Resources, for making students uncomfortable with his actions. Arthur Friedley was directed to obtain training in sexual harassment and boundary invasion within three (3) weeks of the letter.

14. On April 26, 2010, Arthur Friedley watched two (2) Washington Education Association (WEA) videos entitled, "Appropriate Touch" and "Sexual Harassment".

15. During the 2009-2010 and 2010-2011 school year, A.W., a former female student of Arthur Friedley, would frequently visit Arthur Friedley's classroom after school hours. During these visits, Arthur Friedley gave A.W. candy and trinkets. Arthur Friedley would also hug A.W. during these visits.

16. During the 2010-2011 school year, Arthur Friedley dumped glitter on the heads of male and female middle school students in a jovial manner.

17. In December 2010, A.W. entered Arthur Friedley's classroom after school hours. During this visit, Arthur Friedley dumped glitter on A.W.'s head. Arthur Friedley then unzipped A.W.'s coat, grabbed her shirt, pulled it away from her body and dumped glitter down her shirt. Arthur Friedley hugged A.W. and kissed her on the head.

18. On December 17, 2010, the Lakewood Police Department conducted an investigation into allegations of assault by Arthur Friedley toward A.W.; Lakewood PD incident report #103510848.1.

19. On December 22, 2010, Arthur Friedley was placed on paid administrative leave.

20. On April 13, 2011, a Complaint was filed in the Municipal Court of the City of Lakewood charging Arthur Friedley with Assault in the Fourth Degree (With Sexual Motivation) RCW 9A.36.041 and RCW 9A.36.835. Lakewood Municipal Court, 11L54.

21. On May 10, 2011, Arthur Friedley signed a Stipulated Order of Continuance with Conditions; in which the charges will be dismissed after two (2) years.

22. On May 24, 2011, Arthur Friedley signed a Settlement Agreement with the Clover Park School District and resigned his position as of August 31, 2011.

23. On October 9, 2012, the Office of Professional Practices sent a letter to Arthur Friedley requesting an interview by October 23, 2012. Arthur Friedley did not respond.

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

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Arthur Friedley and over the subject matter of this action.
2. OSPI has shown by clear and convincing evidence that the Washington Education Certificate No. 357930G, of Arthur Friedley, should be suspended for unprofessional conduct and/or lack of good moral character or personal fitness. RCW 28A.410.090, WAC 181-87-060; WAC 181-86-013; WAC 181-86-014.

ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate, No. 357930G, of Arthur Friedley be suspended for six (6) months.

REINSTATEMENT will require: (1) successful completion of a psychological evaluation which validates Arthur Friedley's ability to have unsupervised access to students in a school environment, by an evaluator mutually agreed upon by the Office of Professional Practices and Arthur Friedley; (2) that Arthur Friedley provide written consent for OPP to release documents to the provider for purposes of completing the evaluation; (3) that Arthur Friedley follows and completes any and all treatment recommended in the evaluation; (4) that Arthur Friedley will provide OPP with evidence of his/her successful completion of or continued compliance in his/her treatment program and; (5) if requested, Arthur Friedley will sign consent forms authorizing OPP to have access to all records pertaining to his/her treatment and to discuss any and all treatment undertaken with the providers administering treatment. The cost of conformance to all reinstatement requirements will be the responsibility of Arthur Friedley.

AND Reinstatement shall (also) require: (1) submission of a new application, including Character and Fitness Supplement, provided by OPP and having Arthur Friedley's fingerprints be checked by both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP); and (2) that if Arthur Friedley's education certificate expires during the period of suspension, Arthur Friedley will show that he meets all academic requirements for renewal/reinstatement of the education certificate. Reinstatement shall also be contingent upon Arthur Friedley's fingerprint background check returning with no criminal convictions that are listed in WAC 181-86-013, RCW 28A.410.090, any felony convictions.

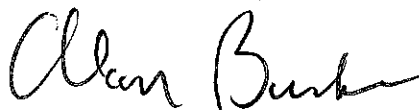
This order will become final thirty days after it is received, unless it is appealed within the thirty day period.

Appeals should be addressed to:

Superintendent of Public Instruction
Office of Professional Practices
PO Box 47200
Olympia, WA 98504

DATED This 8 day of April, 2013.

RANDY I. DORN
Superintendent of Public Instruction
State of Washington



Alan Burke, Ed. D
Deputy Superintendent
K-12 Education