



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. D09-12-082
)	
)	AGREED ORDER
Kevin Strait)	OF SUSPENSION
Certificate No. 228411E)	
_____)	

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 Kevin Strait, that the Washington Education Certificate, No. 228411E, of Kevin Strait, shall be suspended, based on the Findings of Fact and Conclusions of Law set forth below:

FINDING OF FACTS

1. Kevin Strait was issued a Washington Education Certificate, No. 228411E, on June 9, 1978. That certificate currently remains valid.
2. Kevin Strait was employed by the Mead School District.



3. On December 14, 2009, the Office of Professional Practices, within OSPI, received a complaint letter from the Superintendent of the Mead 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 Kevin Strait.

4. During the 2006-2007, 2007-2008, and 2008-2009 school years, Kevin Strait used Mead School District computer equipment to access and view sexually explicit images, as defined per Revised Code of Washington (RCW) 10.97.030. No students observed any of the images.

5. Mead School District Procedure No. 4900, Electronic Communications and Internet Safety, "Network Use" (7) states: Use of network system to access, store or distribute obscene or pornographic material is prohibited.

6. On June 23, 2009, Kevin Strait was placed on administrative leave by the Mead School District.

7. On September 2, 2009, Kevin Strait submitted a letter to Kelly Shea, Mead School District Human Resources Executive Director.

8. On December 1, 2009, Kevin Strait signed a Settlement Agreement with the Mead School District. As part of the Settlement Agreement, Kevin Strait resigned his employment with the Mead School District, effective January 29, 2010.

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

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Kevin Strait and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence that Washington Education Certificate, No. 228411E, of Kevin Strait, should be suspended as provided for in WAC 181-86-070.

3. Kevin Strait 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. 228411E, of Kevin Strait, be suspended for four (4) months from the date of entry of this Order.

REINSTATEMENT will require: (1) successful completion of, or continued compliance in, a counseling/treatment program for addiction to sexually explicit material, as defined per RCW 10.97.030; (2) that Kevin Strait will provide OPP with evidence of his successful completion of or continued compliance in his counseling/treatment program and; (3) if requested, Kevin Strait will sign consent forms authorizing OPP to have access to all records pertaining to his 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 Kevin Strait.

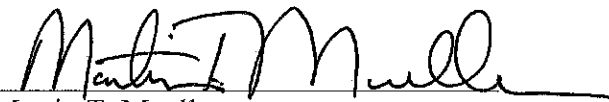
AND Reinstatement shall also require submission of a new application, including Character and Fitness Supplement, provided by OPP and having Kevin Strait's fingerprints be checked by both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP). Reinstatement shall be also contingent upon Kevin Strait's'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 19th day of January, 2010.

RANDY I. DORN
Superintendent of Public Instruction
State of Washington

Stipulated to and approved
For entry:


Kevin Strait, Respondent


Martin T. Mueller
Assistant Superintendent
Student Support


Michelle Wolkey Fossum, Attorney for Respondent
WSBA # 20249

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