



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. D11-04-024
)	
John J. Frostad)	FINAL ORDER
Certificate No. 280058R)	OF 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 revoke the Washington Education Certificate, No. 280058R, of John J. Frostad, based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. John J. Frostad was issued a Washington Education Certificate, No. 280058R, on August 31, 1987. That certificate currently remains valid.
2. John J. Frostad was employed by the North East Washington Educational Service District.
3. On April 25, 2011, the Office of Professional Practices, within OSPI, did receive a complaint letter from the superintendent of the North East Washington Educational Service District (NEW ESD) alleging a lack of personal fitness, or a violation of the Code of Professional Conduct, Washington Administrative code (WAC 181-87) by John J. Frostad.

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4. From February, 2004 to April, 2011, John J. Frostad was employed at the Structured Alternative School (SAC) as a para-professional and substitute teacher. SAC is an alternative to detention program for juveniles and is jointly operated by ESD 101 and the Spokane County Juvenile Court/Center for Juvenile Detention Services.

5. On January 27, 2005, John J. Frostad made threats to do bodily harm to his wife, Michelle Frostad, and struck her on and about her body including, but not limited to her genital area. On February 2, 2005, Michelle Frostad reported the assault to the Spokane Police Department; Spokane Police Department Incident No. 05-036320.

6. On February 2, 2005, during the assault investigation, Spokane Police Department officer' located approximately 15-16 marijuana plants, items used for the cultivating of marijuana, items used for the concealment of marijuana cultivation, items used for the ingestion of marijuana, and firearms in John J. Frostad's residence. John J. Frostad was arrested for Assault 2nd Degree / Domestic Violence, Revised Code of Washington (RCW) 9A.35.021 and booked into the Spokane County Jail; Spokane Police Department incident number 05-036320.

7. On February 3, 2005, a Domestic Violence Criminal Protection Order listing John J. Frostad as the respondent and Michelle Frostad as the petitioner was filed in the Spokane Superior Court; Spokane District Court No: F50467

8. On February 25, 2005, an Information was filed in the Spokane County Superior Court charging John J. Frostad with Second Degree Assault, Revised Code of Washington (RCW) John J. Frostad
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9A.36.021(1)(A)DV-F, Harassment, RCW 9A.46.020(2)(B)DV-F, Manufacture of a Controlled Substance, RCW 69.50.401(1)(2)(A/B)M-F, and Use of a Building for Unlawful Drug Purposes, RCW 69.53.010-F; Spokane Superior Court Cause No: 05-1-00633-2.

9. On March 9, 2005, a Domestic Violence Criminal Protection Order No: 05-1-00633-2 listing John J. Frostad as the respondent and Michele Frostad as the petitioner was filed in the Spokane Superior Court.
10. Between March 21, 2005 to March 26, 2005, John J. Frostad contacted Michelle Frostad by phone nineteen (19) to twenty (20) times times in violation of Domestic Violence Criminal Protection Order No: 05-1-00633-2; Spokane Police Department Incident No. 05-096178.
11. On March 28, 2005 a statement of arresting officer and Preliminary Finding of Probable Cause was filed in the Spokane Municipal Court which included a summons to appear was issued to John J. Frostad for nineteen (19) counts in violation of a protection order; Spokane Police Department Incident report number 05-96178.
12. On May 20, 2005, Michelle Frostad reported receiving at least six (6) phone messages and calls from John J. Frostad in violation of Domestic Violence Criminal Protection Order No: 05-1-00633-2, Spokane Police Department Incident number 05-162620.
13. On May 25, 2005, a statement of arresting officer and Preliminary Finding of Probable Cause was filed in the Spokane Superior Court which included a summons to appear was issued to John J. Frostad for violation of a protection order; Spokane Superior Court, Report Number 05-0162620.

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14. On September 26, 2005, an Amended Information was filed in the Spokane County Superior Court charging John J. Frostad with Possession of a Controlled Substance with Intent to Manufacture, RCW 69.50.401(1)(2)(A/B)PM-F and Fourth Degree Assault, RCW9a.36.041DV-G; Spokane Superior Court case # 05-1-00633-2.
15. On September 27, 2005, a felony Judgment and Sentence and a Judgment and Sentence were filed in Spokane County Superior Court in which John J. Frostad pleaded guilty to Possession of a Controlled Substance with Intent to Manufacture Marijuana, RCW 69.50.401(1)(2)(A/B)PM-F and Assault 4 DV, RCW 9A.36.041 DV-G; Spokane Superior Court case #05-1-00633-2.
16. On October 24, 2010, John J. Frostad struck his 7 year old son, Ju.F., on the face causing bruising to the child's face; Spokane Police Department Report #10-354722.
17. On October 25, 2010, John J. Frostad was arrested for Assault in the Fourth Degree/DV for striking Ju.F. on October 24, 2010. John J. Frostad was issued Criminal Citation No.N023556; Spokane Police incident #10-354722.
18. On October 25, 2010, Spokane Police Department officers conducted a search of John J. Frostad's residence and located approximately twenty-seven (27) small marijuana plants, materials used for growing and cultivating marijuana, a small amount of marijuana, and devices used for the consumption/use of marijuana. John J. Frostad was arrested for Manufacturing a Controlled Substance and Possession of Marijuana less than 40 grams and booked into jail; Spokane Police Department Incident No. 10-354886.
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19. On October 26, 2010, a Statement of Investigating Officer Affidavit of Facts was filed in Spokane County Superior Court detailing law enforcement discovery of John J. Frostad being in possession of and cultivating marijuana plants at his residence; Spokane Police Department Incident No. 10-0354886.
20. On December 21, 2010, John J. Frostad agreed to a Stipulated Order of Continuance for 24 month regarding the charge of Assault 4th degree ; Spokane County District Court case # N23556.
21. On April 21, 2011, the NEW ESD issued John J. Frostad a letter notifying him of the decision to not renew his employment effective April 30, 2011.
22. On April 26, 2011, an Information and a Statement of Investigating Officer Affidavit of Facts were filed in the Spokane Superior Court charging John J. Frostad with Manufacture of a Controlled Substance, RCW 69.50.401(1)(2)(C/D/E)M-F; Spokane Superior Court Case No: 10-1-03282-8.
23. On May 10, 2011, John J. Frostad was issued his first documentation of a health care professional's authorization to engage in the medical use of marijuana in Washington State. This authorization was valid through May 9, 2012.
24. On May 1, 2012, John J. Frostad was issued documentation of a health care professional's authorization to engage in the medical use of cannabis in Washington State. This authorization is valid through May 1, 2013.

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25. On July 8, 2011, John J. Frostad received a certificate of completion of requirements of a treatment program through New Horizon Care Center.

26. On August 10, 2012, an Amended Information was filed in the Spokane Superior Court charging John J. Frostad with Possession of a Controlled Substance, RCW 69.50.4013(1)-F; Spokane Superior Court Case No: 10-1-03282-8.

27. On August 13, 2012, John J. Frostad signed a Statement of Defendant on Plea of Guilty to Non-Sex Offense in Spokane County Superior Court pleading guilty to one count of Possession of a Controlled Substance-Marijuana, RCW 69.50.4013(1)-F and stating that the court may review the police reports and/or statement of probable cause supplied by the prosecution to establish a factual basis for the plea; Spokane Superior Court Cause Number 10-1-03282-8.

28. On August 13, 2012, a Felony Judgment and Sentence was filed in Spokane Superior Court which John J. Frostad was found guilty by plea to Possession of a Controlled Substance-Marijuana, RCW 69.50.4013(1)-F; Spokane Superior Court Cause Number 10-1-03282-8.

29. On August 30, 2012, John J. Frostad participated in a recorded interview with an OPP investigator. That statement was signed and returned by John J. Frostad on September 20, 2012.

30. 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 John J. Frostad and over the subject matter of this action.

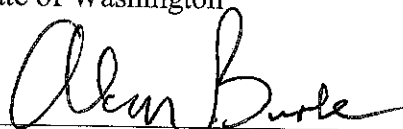
2. OSPI has shown by clear and convincing evidence that the Washington Education Certificate No. 280058R, of John J. Frostad, should be revoked for unprofessional conduct and/or lack of good moral character or personal fitness. RCW 28A.410.090; WAC 181-86-075; WAC 181-86-013 and/or WAC 181-86-014.

ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate, No. 280058R, of John J. Frostad be revoked.

DATED This 30 day of November, 2012.

RANDY I. DORN
Superintendent of Public Instruction
State of Washington



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

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