



SUPERINTENDENT OF PUBLIC INSTRUCTION

Chris Reykdal 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. D13-02-013

MARK OWEN)
Certificate No. 293474C)

AGREED ORDER
OF SUSPENSION

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 Mark Owen, that the Washington Education Certificate, No.293474C, of Mark Owen, shall be suspended, based on the Findings of Fact and Conclusions of Law set forth below:

FINDING OF FACTS

1. Mark Owen was issued a Washington Education Certificate, No. 293474C, on August 1, 1989. That certificate currently remains valid.
2. Mark Owen is employed by the Shoreline Public Schools.

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3. On February 8, 2013, the Office of Professional Practices, within OSPI, received a complaint letter from Susanne M. Walker, the Superintendent of Shoreline Public Schools, 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 Mark Owen.

4. Shoreline Public Schools Procedure No. 2314P, Students and Staff Access and Use of Networked Information Resources and Communications, states, under Unacceptable Network Use, that “accessing, uploading, downloading, storage and distribution of obscene, pornographic or sexually explicit material;” is considered unacceptable network use by users.

5. Revised Code of Washington (RCW) 9.68A.011 defines sexually explicit conduct.

6. From about January 2008 to, and including, November 2012, Mark Owen used Shoreline Public Schools computer equipment to access and view websites containing images depicting sexually explicit conduct. Such access and viewing took place at his home using a district issued laptop computer. No such access or viewing was done on school property, or during school hours.

7. On March 19, 2009, Mark Owen signed Shoreline Public School’s Electronic Information System (K-20 Network) Individual Staff User Access Informed Consent form.

8. On December 4, 2012, Mark Owen was placed on paid administrative leave.

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9. On February 20, 2013, Mark Owen was given two (2) month agreed suspension without pay by Superintendent Susanne Walker. Mark Owen also entered into a “last chance agreement” which directed him to contact an appropriately trained and licensed psychologist “to obtain (a) a pornography addiction evaluation and (b) a psychosexual evaluation of your risk to sexually offend with youth.”

10. On May 14, 2013, in a letter to Tam Osborne, Director, Human Resources, Timothy J. Kahn, M.S.W., reported that Mark Owen successfully completed the sexual deviancy evaluation requested by Shoreline Public Schools. Mr. Kahn states, “Mark does not present a risk of sexual offense to the students he is teaching and he clearly is at exceedingly low risk of criminal conduct in general”.

11. On June 5, 2013, Mark Owen declined to interview with an OPP investigator.

12. 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 Mark Owen and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence that the Washington Education Certificate No. 293474C, of Mark Owen, should be suspended for unprofessional conduct and/or lack of good moral character or personal fitness. RCW 28A.410.090(4)(a); WAC 181-87-060;

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ORDER

THEREFORE, it is hereby ordered and agreed that the Washington Education Certificate, No. 293474C, of Mark Owen, be suspended for two (2) months. The suspension will go into effect on June 22, 2013.

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

DATED This 18th day of June, 2013.

RANDY I. DORN
Superintendent of Public Instruction
State of Washington

Stipulated to and approved
For entry:

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

Signed: Mark Owen, Respondent

Signed: Mike Gawley, Attorney for Respondent
WSBA #22110

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