



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. D08-12-085
)
Bryan Harley) FINAL ORDER
Certificate No. 382206A) 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. 382206A, of Bryan Harley, based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. Bryan Harley was issued a Washington Education Certificate, No. 382206A, on January 19, 2001. That certificate currently remains valid.
2. Bryan Harley was employed by the Highline School District.
3. On December 8, 2008, the Office of Professional Practices, within OSPI, did receive a complaint letter from the superintendent of the Highline School District alleging a lack of personal fitness, or a violation of the Code of Professional Conduct, Washington Administrative Code (WAC) 181-87, by Bryan Harley.

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4. During the 2007-2008 school year, Bryan Harley was a paid coach for the Mt. Rainier Girls' High School volleyball team. Chad Siu was a volunteer coach for Bryan Harley.

5. Between August 20, 2007 and January 20, 2008, Chad Siu had an inappropriate relationship with, made sexual comments to, and engaged in sexual contact with M.Y., a 16 year old female Mt. Rainier High School student and member of the school girls' volleyball team.

6. In February or March of 2008, M.Y. informed Bryan Harley of the sexual contact she had with Chad Siu.

7. In April of 2008, Bryan Harley delivered a letter of apology from Chad Siu to M.Y. Bryan Harley watched M.Y. read the letter but would not allow her to keep the letter for "legal reasons".

8. On October 7, 2008, Bryan Harley sent Chad Siu an e-mail.

9. On October 16, 2008, M.Y. reported the relationship and sexual contact with Chad Siu to Daren Rawie, Mt. Rainier High School Athletic Director. Daren Rawie contacted Des Moines Police Department and reported M.Y.'s disclosure.

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10. On October 16, 2008, Des Moines Police Department initiated an investigation. During investigation, it was determined that criminal activity had occurred in Sea-Tac, Washington and Des Moines Police Department referred the investigation to King County Sheriff's Office/Sea-Tac Police Department.

11. On October 16, 2008, Bryan Harley was interviewed by Tony Zeman, Highline School District Security Director. Bryan Harley denied knowledge of a sexual relationship between Chad Siu and M.Y. and denied delivering an apology letter from Chad Siu to M.Y.

12. On October 21, 2008, Bryan Harley was sent a letter by James Hodson, Assistant Director for the Highline School District, advising that a recommendation was to be made to the Superintendent that Bryan Harley's position as Girls' Head Volleyball Coach at Mt. Rainier High School be terminated as of October 20, 2008.

13. On October 27, 2008, a King County Sheriff's Office detective spoke with Chad Siu. Chad Siu admitted to sexual contact with M.Y. and admitted to giving Bryan Harley a letter of apology for M.Y.

14. On October 29, 2008, the King County Sheriff's Office detective spoke with Bryan Harley. Bryan Harley admitted that M.Y. had informed him of the relationship with Chad Siu and that he had met with M.Y. and delivered Chad Siu's apology letter.

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15. On November 18, 2008, an Information and Certification for Determination of Probable Cause were filed in King County Superior Court charging Chad Siu with Sexual Misconduct in the 2nd Degree, RCW 9A.44.010, and charging Bryan Harley with Violation of the Mandatory Reporting Law, RCW 26.44.030; King County Superior Court Cause No.'s 08-C-13129-3 KNT and 08-C-13130-7 KNT.

16. On April 30, 2009, Bryan Harley signed a Statement of Defendant on Plea of Guilty (non-felony); King County Superior Court Cause #08-1-13130-7KNT.

17. On May 4, 2009, Chad Siu pleaded guilty to Sexual Misconduct with a Minor 2nd Degree; King County Superior Court Cause # 08-1-13129-3. On August 24, 2009, Chad Siu was found guilty by plea and sentenced.

18. On July 27, 2009, Bryan Harley was found guilty by plea and sentenced; King County Superior Court Cause #08-1-13130-7KNT.

19. On September 23, 2009, Bryan Harley was sent a letter by an OPP investigator requesting an interview to allow him the opportunity to respond to allegations of misconduct. As of December 2, 2009, Bryan Harley did not respond to OPP.

20. 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 Bryan Harley and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence, that the Washington Education Certificate, No. 382206A, of Bryan Harley, should be revoked as provided for in WAC 181-86-075.

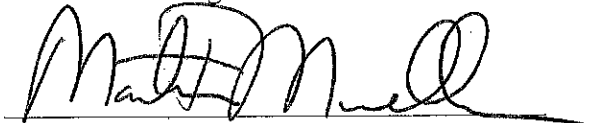
3. Bryan Harley has violated WAC 181-87-060, RCW 28A.410.090, WAC 181-86-013, and/or WAC 180-86-014.

ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate, No. 382206A, of Bryan Harley be revoked.

DATED This 16th day of February, 2010.

RANDY I. DORN
Superintendent of Public Instruction
State of Washington



Martin T. Mueller
Assistant Superintendent
Student Support

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