



# SUPERINTENDENT OF PUBLIC INSTRUCTION

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IN THE MATTER OF THE EDUCATION	)	
CERTIFICATE OF	)	OPP No. D19-07-063
	)	
GARY LORD	)	FINAL ORDER
Certificate No. 188979R	)	OF SUSPENSION
_____	)	

After receiving and investigating a notification from the National Association of State Directors of Teacher Education and Certification, and based upon the facts available as of the date of this Proposed Order, the Superintendent of Public Instruction, through his undersigned designee, institutes this proceeding and finds, as described below, that GARY LORD (“Educator”) engaged in acts of unprofessional conduct to include WAC 181-87-060, and does hereby SUSPEND the Educator’s Washington Education Certificate No. 188979R for not less than FOUR (4) MONTHS with conditions enumerated below, based on the following Findings of Fact and Conclusions of Law:

## I. FINDINGS OF FACT

1. On September 1, 1971, the Educator was issued Washington Education Certificate No. 188979R. The Educator’s certificate is non-expiring.
2. In July 2019, the Office of Professional Practices (OPP) within the Office of the Superintendent of Public Instruction (OSPI) became aware the Educator voluntarily surrendered his Pennsylvania education certificate in 2014. Pursuant to WAC 181-86-100, OPP initiated an investigation.

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GARY LORD  
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3. In 2014, the Educator was terminated by the Reading School District (“School District”) for repeatedly viewing pornography on School District premises using School District resources in violation of School Board policies.
4. In 2014, the Educator admitted he repeatedly viewed pornography on School District premises with School District resources.
5. On August 7, 2014, the Educator surrendered his Pennsylvania education certificate(s).
6. On July 19, 2019, OPP sent the Educator a letter informing him that it had initiated an investigation into his professional misconduct as mandated by WAC 181-86-100(1) and offering the Educator the opportunity to submit a statement to OPP to take into consideration.
7. On August 6, 2019, OPP received a written statement from the Educator in response to OPP’s July 19, 2019, letter. In his written statement, the Educator admitted that in 2014 he viewed pornography on School District property in violation of School District policy, that he was dismissed from employment from the School District as a result, and that he subsequently surrendered his Pennsylvania education certificate(s).

## **II. CONCLUSIONS OF LAW**

1. Chapter 28A.410 RCW gives the Professional Educator Standards Board the authority to develop regulations determining eligibility for and certification of personnel employed in the common schools of the state of Washington. OSPI acts as the administrator of those statutes and regulations and has the authority to issue, reprimand, suspend, and revoke education certificates. RCW 28A.410.010; RCW 28A.410.090. Chapters 181-86 and 181-87 of the Washington Administrative Code (WAC) further implement OSPI’s authority.
2. OSPI has jurisdiction over the Educator and the subject matter of this action.
3. The Educator committed acts of unprofessional conduct pursuant to WAC 181-87-060(3).

4. There is a clear and convincing evidence that the Educator committed acts of unprofessional conduct pursuant to WAC 181-86-170.

5. Pursuant to WAC 181-86-080, eleven factors, at a minimum, are to be considered to determine the appropriate level and range of educator discipline:

- (1) The seriousness of the act(s) and the actual or potential harm to persons or property;
- (2) The person's criminal history including the seriousness and amount of activity;
- (3) The age and maturity level of participant(s) at the time of the activity;
- (4) The proximity or remoteness of time in which the acts occurred;
- (5) Any activity that demonstrates a disregard for health, safety or welfare;
- (6) Any activity that demonstrates a behavioral problem;
- (7) Any activity that demonstrates a lack of fitness;
- (8) Any information submitted regarding discipline imposed by any governmental or private entity as a result of acts or omissions;
- (9) Any information submitted that demonstrates aggravating or mitigating circumstances;
- (10) Any information submitted to support character and fitness; and
- (11) Any other relevant information submitted.

6. Based on the foregoing facts and considering them in light of the eleven factors enumerated in WAC 181-86-080, and in light of WAC 181-86-070, WAC 181-87-060, the Educator's education certificate should be suspended for unprofessional conduct.

### III. ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate No. 188979R of GARY LORD is **SUSPENDED**. The Educator may not request reinstatement of his education certificate for at least FOUR (4) MONTHS from the effective date of this ORDER.

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**REINSTATEMENT** of the Educator's education certificate shall require:

- (1) The Educator must submit a new application, including Character and Fitness Supplement, provided by OPP;
- (2) The Educator must complete a fingerprint-based criminal background check through both the Federal Bureau of Investigation and the Washington State Patrol;
- (3) The Educator's fingerprint background check must return with no criminal convictions, occurring after the date of issuance of a Final Order of Suspension, that are listed in WAC 181-86-013, RCW 28A.410.090, or any felony convictions; AND
- (4) The Educator shall assume all costs of complying with the requirements of this Order.

DATED this 9<sup>th</sup> day of January, 2020.

CHRIS REYKDAL  
Superintendent of Public Instruction  
State of Washington

  
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Dierk Meierbachtol  
Chief Legal Officer