



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)
 APPLICATION OF)
)
 GARY VETTER)
 CERTIFICATE NO: 242783R)
 _____)

OPP No. D06-02-011
 DENIAL ORDER
 FOR CERTIFICATION

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 deny the education application of GARY VETTER based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. Gary Vetter held a Career and Technical Education certificate and an Administrative Principal certificate. Those certificates expired June 30, 2006.
 2. Gary Vetter was employed by the South Kitsap School District from September, 1981 until his resignation on January 31, 2006.
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3. On January 31, 2006, the Office of Professional Practices, within OSPI, received a complaint letter from the Superintendent of the South Kitsap 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 Gary Vetter.

4. During the 1991-1992 school year, 1992-1993 school year, and the 1993-1994 school year, Gary Vetter had an inappropriate relationship with a female high school student, T.R.

5. During the 1992-1993 school year and the 1993-1994 school year, Gary Vetter had sexual contact and sexual intercourse with T.R. The sexual contact and intercourse occurred at South Kitsap High School, T.R.'s residence, Gary Vetter's residence, Gary Vetter's vehicle and other locations.

6. On September 5, 2005, South Kitsap School District received an email from T.R., stating that in 1992, while she was in high school, she and Gary Vetter were involved in a sexual relationship. This relationship continued after high school and when she was 20, she gave birth to the child of Gary Vetter.

7. On December 5, 2005, Gary Vetter was placed on administrative leave.

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8. On or about December 13, 2005, Gary Vetter sent T.R. a letter that “to immediately place a call and stop all this nonsense,” to “say you made a mistake out of jealousy or whatever”. The letter also indicated that Gary Vetter possessed sensitive and private information about T.R. which would be released to T.R.’s parents if she did not recant and that Gary Vetter was in possession of a video taken from his closet “the last time you were there” which would be released to an individual or individuals close to T.R.; Kitsap County Superior Court Cause #06-1-00385-1

9. On December 30, 2005, Gary Vetter admitted to a Kitsap County Sheriff’s Office detective that he had sent T.R. the letter dated December 13, 2005; Kitsap County Superior Court, Cause #06-1-00385-1.

10. On January 30, 2006, Gary Vetter submitted his resignation letter to South Kitsap School District and signed a Settlement Agreement in which he agreed to voluntarily surrender all professional educational certificates to OSPI within 30 days.

11. On March 7, 2006, Gary Vetter signed a Voluntary Surrender of Certificate form. That surrender was accepted by OSPI on March 8, 2006.

12. On March 7, 2006, an Information and Certification for Determination of Probable Cause were filed in Kitsap County Superior Court, Cause #06-1-00385-1. Charging Gary Vetter with Tampering with a Witness, RCW 9A.72.120.

13. On March 8, 2006, a First Amended Information was filed in Kitsap County Superior Court, Cause No: 06-1-00385-1, charging Gary Vetter with Tampering of a Witness, RCW 9A.72.120.

14. On June 26, 2006, an Amended Information was filed in Kitsap County Superior Court, Cause No: 06-1-00385-1, charging Gary Vetter with: Coercion, RCW 9A.36.070, and Criminal Attempt, RCW 9A.28.020.

15. On June 26, 2006, a Statement of Defendant on Plea of Guilty was filed in the Kitsap County Superior Court in which Gary Vetter pled guilty to Coercion, RCW 9A.36.070, and Criminal Attempt, RCW 9A.28.020; Kitsap County Superior Court, Cause #06-1-00385-1.

16. On July 7, 2006, a Judgment and Sentence was filed in the Kitsap County Superior Court, finding Gary Vetter guilty of 1 count of Coercion RCW 9A.36.070 and 1 count of Criminal Attempt, RCW 9A.28.020; Kitsap County Superior Court, Cause #06-1-00385-1.

17. On March 5, 2009, Gary Vetter applied to reinstate his previously surrendered Washington education certificate.

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18. On the character and fitness supplement (CFS), a part of the application process, Gary Vetter answered 'yes' to questions 3, 4 and 11, Section II, Professional Fitness, regarding having been the subject of an investigation, adverse action taken on a certificate or license, and having been the subject of an investigation by an employer. Mr. Vetter also answered 'yes' to questions 1, 2 and 6, Section III, Criminal History, regarding having been arrested, having been fingerprinted for violation of the law, and having been under investigation for possible criminal charges.

19. Gary Vetter submitted a written statement referring only to his resignation of his position at South Kitsap High School, which was based upon the school board voting to terminate his contract. His decision to resign was based upon the issues confronting him at the time. A former student made allegation of improper conduct by him while she was a student. He denies those charges firmly and resolutely. He did write an anonymous letter to his accuser and it is that letter which caused him to resign. Gary Vetter also referred to a letter from his attorney dated September 7, 2006, as a complete overview of his situation and an explanation of his actions. This letter was included in the documentation provided.

20. Good moral character and personal fitness is a requirement to attain a Washington education certificate.

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CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Gary Vetter and over the subject matter of this action.

2. Gary Vetter has failed to provide clear and convincing evidence of good moral character or personal fitness to receive a Washington education certificate, Washington Administrative Code (WAC) 181-86-170.

3. Gary Vetter has violated WAC 181-87-080, WAC 181-87-060, RCW 28A.410.090, WAC 181-86-013, and/or WAC 180-86-014

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ORDER

THEREFORE, it is hereby ordered that the application for certification of Gary Vetter is denied.

This order may be appealed within thirty (30) calendar days from the date of receipt, pursuant to Chapter 181-86 WAC, copy enclosed.

This order will become final thirty days after it is received, unless it is appealed within the thirty day period.

Appeals should be addressed to:

Superintendent of Public Instruction
Office of Professional Practices
PO Box 47200
Olympia, WA 98504

DATED this 9th day of June, 2009.

RANDY L. DORN
Superintendent of Public Instruction
State of Washington



Martin T. Mueller
Assistant Superintendent
Student Support