

STATE OF WASHINGTON  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

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OFFICE OF ATTORNEY GENERAL  
EDUCATION DIV. - OLY.

IN THE MATTER OF

Susan Lynn Lacey  
Certificate No. 280113B

TEACHER  
CERTIFICATION  
CAUSE NO. 2000-TC-  
0002

**ORDER OF DISMISSAL  
OF APPEAL AND FINAL  
~~ORDER OF PERMANENT~~  
REVOCATION**

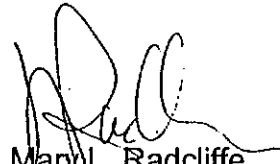
On July 31, 2000, Susan Lynn Lacey filed a timely appeal from the Office of Superintendent of Public Instruction's Proposed Final Order of Permanent Revocation, dated July 5, 2000. A prehearing conference was held on August 17, 2000 and a hearing scheduled for September 28, 2000, pursuant to Prehearing Order dated August 17, 2000. On September 27, 2000, Anne Shaw, assistant attorney general for the Office of Superintendent of Public Instruction in this matter, left a message for the undersigned that Ms. Lacey wished to withdraw her appeal.

On September 28, 2000, the undersigned called Ms. Lacey. Ms. Lacey confirmed that she did not want to proceed with her appeal, she would not be appearing for the hearing, and that she understood that withdrawing her appeal would result in a final order of permanent revocation of her teaching certificate.

Based on the foregoing and a review of the pleadings filed in this matter, the undersigned finds good cause to enter the following order:

IT IS HEREBY ORDERED that Ms. Lacey's appeal is dismissed and that the Office of Superintendent of Public Instruction's Proposed Final Order of Permanent Revocation, dated July 5, 2000, is final.

Dated at Seattle, Washington this 28th day of September, 2000.

  
Mary L. Radcliffe  
Administrative Law Judge

This certifies that a copy of the above Order was served upon the parties or their representatives on 9/28/02 by depositing a copy of same in the United States mail, postage prepaid, addressed to the following:

Susan Lynn Lacey  


Mike Bigelow, Assistant Superintendent  
Office of State Superintendent of Public Instruction  
Old Capital Bldg  
PO Box 47200  
Olympia, WA 98504-7200

Anne Shaw, Assistant Attorney General  
PO Box 40100  
Olympia, WA 98504-7200

**STATE OF WASHINGTON**

**OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

IN THE MATTER OF THE EDUCATION  
CERTIFICATE OF

SUSAN LYNN LACEY  
**(Certificate No. 280113B)**

**OPP NO. D96-03-058**

**PROPOSED FINAL ORDER OF  
PERMANENT REVOCATION**

COMES NOW Lin Douglas, the Informal Review Officer of the Superintendent of Public Instruction, having reviewed the files of the above-referenced case, and having considered the arguments of each party and the recommendation of the Admissions and Professional Conduct Advisory Committee, does hereby permanently revoke the education certificate of Susan Lynn Lacey based on the Findings of Fact and Conclusions of law set forth below:

**FINDINGS OF FACT**

1. Susan Lynn Lacey was granted her Washington State Continuing Elementary and Secondary Teacher certificate (#280113B) on July 1, 1987. That certificate is presently valid.
2. Susan Lynn Lacey was employed as a music instructor with the Seattle School District on September 26, 1988. Susan Lynn Lacey was employed on a half-time basis from 1988 until 1991, when she became a full-time employee.
3. Susan Lynn Lacey was a full-time employee of the Seattle School District from 1991 until 1996. Susan Lynn Lacey resigned her teaching position at the Seattle School District on September 1, 1996.
4. The Seattle School District Superintendent, in accordance with WAC 180-86-110, appropriately filed a letter with the Office of Professional Practices, Superintendent of Public Instruction, alleging an act of unprofessional conduct.
5. Susan Lynn Lacey, in a period of time intervening between June 1, 1994 through October 28, 1994, had sexual contact with two minor children, and asked the minor children not to reveal her conduct to anyone.

**SUSAN LYNN LACEY  
PROPOSED FINAL ORDER OF PERMANENT REVOCATION**

6. In the summer of 1995, it was alleged that Susan Lynn Lacey engaged in inappropriate sexual behavior in the presence of minor children.
7. On December 6, 1996, Susan Lynn Lacey was found guilty of two counts of child molestation in the second degree, a felony, in the Superior Court of Washington for King County.
8. Continuing good moral character and personal fitness is a requirement to continue holding a Washington educational certificate.

### **CONCLUSION(S) OF LAW:**

1. Based on the above Finding(s) of Fact, the Superintendent of Public Instruction has determined that Susan Lynn Lacey lacks the good moral character and personal fitness, which is a continuing requirement for certification and is mandated in WAC (Washington Administrative Code) 180-86-013(1)(2)(3)(c)(d) and WAC 180-86-014:

**Good moral character and personal fitness – Definition.** As used in this chapter, the terms "good moral character and personal fitness" means character and personal fitness necessary to serve as a certificated employee in schools in the state of Washington, including character and personal fitness to have contact with, to teach, and to perform supervision of children. Good moral character and personal fitness includes, but is not limited to the following:

1. No conviction of any felony crime involving:
  - (c) The sexual exploitation of a child under chapter 9.68A RCW;
  - (d) Sexual offenses where a child is the victim under chapter 9A.44 RCW.
2. No conviction of any crime within the last ten years, including motor vehicle violations, which would materially and substantially impair the individual's worthiness and ability to serve as a professional within the public and private schools of the state...
3. No behavioral problem which endangers the educational welfare or personal safety of students, teachers, or other colleagues within the educational setting.

**Good moral character and personal fitness – Continuing requirement.** The good moral character and personal fitness requirement of applicants for certification under the laws of the state of Washington is a continuing requirement for holding a professional educational certificate under regulations of the state board of education.

2. Due to the nature of your crime, the revocation of your certificate will be permanent, without option for reinstatement, as outlined in the Revised Code of Washington (RCW), section 28A.410.090(1)(2) which states:

- (1) Any certificate or permit authorized under the provisions of this chapter, 28A.405 RCW, or rules promulgated thereunder may be revoked or suspended by the authority authorized to grant the same based upon a criminal records report authorized by law, or upon the complaint of any school district superintendent, educational service district superintendent, or private school administrator for immorality, violation of written contract, unprofessional conduct, intemperance, or crime against the law of the state.
- (2) Any such certificate or permit authorized under this chapter or chapter 28A.405 RCW shall be revoked by the authority authorized to grant the certificate upon a guilty plea or the conviction of any felony crime involving the physical neglect of a child under chapter 9A.42 RCW, the physical injury or death of a child under chapter 9A.32 RCW or 9A.36 RCW (excepting motor vehicle violations under chapter 46.61 RCW), sexual exploitation of a child under chapter 9.68A RCW, sexual offenses under chapter 9A.44 RCW where a minor is the victim, promoting prostitution of a minor under chapter 90A.88 RCW, the sale or purchase of a minor child under RCW 9A.64.030, or violation of similar laws of another jurisdiction. The person whose certificate is in question shall be given an opportunity to be heard. Mandatory permanent revocation upon a guilty plea or the conviction of felony crimes specified under this subsection shall apply to such convictions or guilty pleas which occur after July 23, 1989. Revocation of any certificate or permit authorized under this chapter or chapter 28A.405 RCW for a guilty plea or criminal conviction occurring prior to July 23, 1989, shall be subject to the provisions of subsection (1) of this section.

Susan Lynn Lacey plead guilty on December 6, 1996 to two counts of child molestation in the second degree.

3. Child molestation is defined in RCW 9A.44.086(1)(2):

- (1) A person is guilty of child molestation in the second degree when the person has, or knowingly causes another person under the age of eighteen to have sexual contact with another who is at least twelve years old but less than fourteen years old and not married to the perpetrator and the perpetrator is at least thirty-six months older than the victim.
- (2) Child molestation in the second degree is a class B felony.

**ORDER**

Therefore, the Washington Educational Certificate of Susan Lynn Lacey, Certificate No. 280113B, is hereby permanently revoked.

This Proposed Order will become final thirty (30) calendar days from the date of receipt of this order unless respondent files an appeal for a formal hearing before the Office of Administrative Hearings. Please direct the appeal and request for formal hearing to Office of Superintendent of Public Instruction, Administrative Law Office, Old Capitol Building, P.O. Box 47200, Olympia, WA 98504-7200.

DATED this 5th day of July, 2000.

DR. TERRY BERGESON  
SUPERINTENDENT OF PUBLIC INSTRUCTION  
STATE OF WASHINGTON

  
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LIN DOUGLAS  
Informal Review Officer