



SUPERINTENDENT OF PUBLIC INSTRUCTION

DR. TERRY BERGESON 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. D07-02-011
)	
Vern Heizer)	FINAL ORDER OF
Certificate No. 341261F)	MANDATORY PERMANENT
)	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 permanently revoke the Washington Education Certificate, No. 341261F, of Vern Heizer, based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. Vern Heizer was issued a Washington Education Certificate, No. 341261F, on October 20, 1995. That certificate currently remains valid.

 2. Vern Heizer was employed by the Grand Coulee Dam School District.
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VERN HEIZER
 FINAL ORDER OF MANDATORY PERMANENT REVOCATION



3. On February 2, 2007, the Office of Professional Practices (OPP), within OSPI, received a complaint letter 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 Vern Heizer.

4. During the 2004-2005 school year, Mr. Heizer sent numerous e-mails to a 7th grade female student, T.B.

5. During the 2004-2005 school year, Mr. Heizer exchanged numerous notes with T.B.

6. During the 2005-2006 school year, Mr. Heizer sent numerous e-mails to a middle school age female student.

7. Between October 1, 2006 and July 2, 2007, Mr. Heizer had sexual intercourse and sexual contact with T.B.

8. During the 2006-2007 school year, Mr. Heizer gave T.B a cellular phone; which they used to talk and exchange text messages.

9. During the 2006-2007 school year, Mr. Heizer sent T.B. images of his genitalia over the cell phone. T.B. also sent Mr. Heizer images of her genitalia over the cell phone.

10. On January 31, 2007, Mr. Heizer was issued a letter of reprimand by Jeff Loe, Superintendent of the Grand Coulee Dam School District, for inappropriate and unprofessional conduct towards female students.

11. On July 16, 2007, Mr. Heizer was arrested and booked into Okanogan County Jail for: Communicating with a Minor for Immoral Purposes, RCW 9.68A.090; Rape of a Child 2nd Degree, RCW 9A.44.076; Rape of a Child 3rd Degree, RCW 9A.44.079; and Child Molestation 3rd Degree, RCW 9A.44.089. Okanogan County Sheriff's Report S07-01268.

12. On July 17, 2007, a Sexual Assault Protection Order was filed in Okanogan County Superior Court with Mr. Heizer listed as the respondent. The Order was issued on July 18, 2007. The Order prohibits Mr. Heizer from knowingly coming within or remaining within 100 yards of T.B.'s residence, school, place of employment, and church. Mr. Heizer was also prohibited with having any contact with T.B. directly, indirectly, or through third parties.

13. On July 19, 2007, an Information and Declaration for Probable Cause was filed in Okanogan County Superior Court charging Mr. Heizer with: two counts of Rape of a Child 3rd Degree, RCW 9A.44.079; Child Molestation 3rd Degree, RCW 9A.44.089; and Communication with a Minor for Immoral Purposes, RCW 9.68A.090. Okanogan County Superior Court Cause #07-1-0021-02.

14. On July 23, 2007, a Second Amended Declaration for Probable Cause, Okanogan County Superior Court Cause No. 07-1-00201-2, was entered in Okanogan County Superior Court.

15. In August and September of 2007, Mr. Heizer: made contact with T.B.; was observed in areas in close proximity to T.B.'s residence; and in areas within close proximity to areas that T.B. could be expected to be present.

16. On September 14, 2007, an Information, Statement of Arresting Officer and Preliminary Finding of Probable Cause, and Motion and Declaration for Issuance of Order For Arrest Warrant was filed in Okanogan County Superior Court charging Mr. Heizer with: Stalking – Current, Former, or Prospective Witness; and/or Violation of Protection Order; Okanogan County Superior Court Cause # 07-1-00264-1.

17. On September 14, 2007, Mr. Heizer was arrested and booked into Okanogan County Jail on the Okanogan County Superior Court arrest warrant for Cause #07-1-00264-1.

18. On October 3, 2007, Mr. Heizer signed a Settlement and Release Agreement with the Grand Coulee Dam School District. Mr. Heizer resigned his employment with the Grand Coulee Dam School District the same day.

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19. On October 8, 2007, the Office of Professional Practices (OPP), within OSPI, received a second complaint letter 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 Vern Heizer.

20. On March 13, 2008, Mr. Heizer signed a Statement of Defendant on Plea of Guilty. In the Statement of Defendant on Plea of Guilty, Mr. Heizer pleaded guilty to Rape of a Child in the Third Degree, (RCW 9A.44.079) and Child Molestation in the Third Degree (RCW 9A.44.089).

21. On March 18, 2008, Okanogan County Superior Court Cause #07-1-00264-1, charging Mr. Heizer with Stalking – Current, Former, or Prospective Witness; and/or Violation of Protection Order, was dismissed. The matter was dismissed pursuant to a plea agreement in Cause #07-1-00201-2.

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22. On May 16, 2008, Mr. Heizer was found guilty of Rape of a Child in the Third Degree, (RCW 9A.44.079) and Child Molestation in the Third Degree (RCW 9A.44.089) and sentenced to: \$820.50 total court costs and fines; Mr. Heizer shall not reside in Okanogan County as of June 1, 2008; thirty-four (34) months total confinement; credit for nine (9) months confinement already served and the remainder to be suspended; undergo and successfully complete inpatient sex offender treatment program for a period of 36-48 months; community custody with the Washington State Department of Corrections for the period of suspended confinement; terms and conditions of community custody; sex and kidnapping offender registration, and all terms and conditions of said registration requirements; and additional requirements.

23. Mr. Heizer has not responded to a request to provide a statement as his response to the allegations of misconduct.

24. Vern Heizer has pleaded guilty or been convicted of a crime identified in Revised Code of Washington (RCW) 28A.410.090(3). Such a plea or conviction authorizes OSPI to permanently revoke the Education Certificate.

25. 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 Vern Heizer and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence that the Washington Education Certificate, No. 341261F, of Vern Heizer, should be revoked, as provided for in WAC 181-86-075.

3. Vern Heizer has violated WAC 181-87, RCW 28A.410.090, WAC 181-86-013, and/or WAC 181-86-014.

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ORDER

It has been thirty days since the Proposed Order of Mandatory Permanent Revocation was received. The appeal time period has passed. It is hereby ordered that the Washington Education Certificate, No. 341261F, of Vern Heizer is revoked.

DATED This 16th day of July, 2008.

DR. TERRY BERGESON
Superintendent of Public Instruction
State of Washington



Martin T. Mueller
Assistant Superintendent
Student Support