

I, Maggie Pagan certify that on December 17, 2007, I mailed a copy of this document, certified & postage prepaid, to all parties or their counsel of record. I certify under penalty of perjury, under the laws of the state of Washington, that the foregoing is true and correct.

IN THE MATTER OF THE EDUCATION)
CERTIFICATE OF)
MICHAEL A HOUK)
CERTIFICATE NO. 249447D)

OPP No. D04-11-104

FINAL ORDER OF
REVOCATION

COMES NOW Arlene Hett, Review Officer of the Office of Superintendent of Public Instruction (OSPI), 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 order that the Washington Education Certificate, No. 249447D, of Michael A. Houk be revoked based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. Michael A. Houk was issued a Washington Education Certificate, No. 249447D, on February 26, 1982. That certificate currently remains valid.
2. Michael A. Houk was employed by the Methow Valley School District.
3. On November 8, 2004, the Office of Professional Practices, within OSPI, received a complaint letter from the superintendent of the Methow Valley 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 Michael A. Houk.
4. On October 18, 1995, Mr. Houk confronted a male student, J.M. about teasing/harassing another student. On October 19, 1995, Mr. Houk signed a letter apologizing for his actions

toward J.M. In the letter, he states that he confronted J.M. and acted very inappropriately; that he made an inappropriate remark; is sorry and embarrassed for his actions; apologizes and makes an assurance that this type of behavior will not occur again with any student.

5. On October 29, 1995, Mr. Houk received a letter of reprimand from Dennis Young, administrator at Liberty Bell Jr/Sr. High School. The letter of reprimand was for Mr. Houk confronting a male student, J.M., and making the comment of "I would like to kick your ass". The letter of reprimand also states that, in the past, Mr. Young has discussed with Mr. Houk his open show of anger and inappropriateness of raising his voice when confronting students.

6. On an Employee Observation Report, dated February 2, 1996 and completed by Dennis Young, under the section of Handling Student Discipline: Mr. Young states that there is still concern over Mr. Houk's tendency to lose his temper and raise his voice when dealing with students in discipline situations.

7. On Mr. Houk's 1995-1996 Final Evaluation, under section IV. Handling of Student Discipline and Attendance Problems, Mr. Young comments that: in most situations Mr. Houk has an excellent rapport with students. He tries to reason with students and provide counsel to them as part of their discipline. Mr. Houk needs to continue to work at not losing his temper when dealing with students.

6. In the spring of 2003, in Spokane County, Mr. Houk, while driving a group of students home from a track meet, grabbed the testicles of a 10th grade male student, J.B.

7. In the spring of 2004, at the high school, Mr. Houk confronted J.B. about a t-shirt J.B. was wearing. Mr. Houk demanded that J.B. remove the shirt and J.B. removed his shirt while in the presence of other students.

8. In the spring of 2004, during a track meet in Tonasket, Washington Mr. Houk confronted J.B. and threatened to rip his testicles off and put them in his hands so he could walk home. Mr. Houk later apologized to J.B. for what he had said.

9. In the spring of 2004, at a track meet in Tonasket, an 11th grade male student, L. D., was wrestling with a female student when Mr. Houk grabbed L.D.'s ear. When L.D. stood up, Mr. Houk attempted to grab L.D.'s genitals. L.D., in order to avoid being grabbed in the genitals, took hold of Mr. Houk's wrist and upper arm and put pressure on Mr. Houk's extended arm.

10. In the spring of 2004, at a track meet in Spokane County, Mr. Houk began to wrestle with L.D. During the time L.D. and Mr. Houk were wrestling, Mr. Houk attempted to grab the genitals of L.D. When L.D. stopped wrestling, Mr. Houk said to him, "I don't quit until your nuts are in my mouth and there is blood on my chin".

11. In September of 2004, Methow Valley School District administrators were informed that in April of 2003, Mr. Houk had grabbed the groin of a male student, J.B.

12. During a district investigative interview on September 14, 2004, Mr. Houk presented a written statement to the district investigator. In the written statement, Mr. Houk explains: his actions with L. D. at the track meet in Tonasket, WA during the spring of 2004; his actions with L.D. at the track meet in Spokane County during the spring of 2004; and his actions with J.B. at a track meet in Tonasket, WA in the spring of 2004.

L.D. at the track meet in Spokane County during the spring of 2004; and his actions with J.B. at a track meet in Tonasket, WA in the spring of 2004.

13. On September 23, 2004, Mr. Houk was placed on administrative leave by Dr. Lou Gates, Superintendent for Methow Valley School District.

14. On October 18, 2004, Dr. Gates contacted the Okanogan County Sheriff's Office and reported the allegations of assault by Mr. Houk; Okanogan County Sheriff's Office report #2004008848. After conducting an investigation, the Okanogan County Sheriff's Office determined that the incidents occurred in Spokane County and in Tonasket, Washington. Copies of the report were sent to the Spokane Police Department and Tonasket Police Department for consideration.

15. On November 3, 2004, Dr. Gates issued a letter re: Disciplinary Suspension without Pay. Mr. Houk was suspended without pay for five (5) days. He was also directed to stop any further intentional touching of students, unless the student or another person is in danger and he needs to touch the student to avoid the dangerous situation. Mr. Houk was also directed to arrange for anger management counseling.

16. On November 3, 2004, Mr. Houk signed an Agreement and Release with the Methow Valley School District.

16. On March 17, 2005, Mr. Houk resigned his teaching position at Methow Valley School District and stated that he was retiring from teaching.

17. Good moral character and personal fitness is a continuing requirement to maintain a Washington Education Certificate.

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Michael A. Houk and over the subject matter of this action.
2. OSPI has shown by clear and convincing evidence, that the Washington Education Certificate, No. 249447D, of Michael Houk, should be revoked as provided for in WAC 181-86-075.
3. Michael Houk has violated WAC 181-87-080, WAC 181-87-060, RCW 28A.410.090, WAC 181-86-013, WAC 181-86-014 and/or WAC 180-40-235.

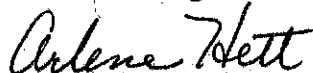
ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate, No. 249447D, of Michael A. Houk, be revoked.

This 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 17th day of December, 2007.

DR. TERRY BERGESON
Superintendent of Public Instruction
State of Washington



DR. ARLENE HETT
Review Officer