



# 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. D02-04-062
	)	OPP No. D05-04-046
	)	
	)	AGREED ORDER
Lamar Hughes	)	OF SUSPENSION
Certificate No. 159836F	)	
_____	)	

COMES NOW the Office of Superintendent of Public Instruction, 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 stipulate by and between the Office of Professional Practices (OPP), Office of Superintendent of Public Instruction (OSPI), and Lamar Hughes, that the Washington Education Certificate, No. 159836F, of Lamar Hughes, shall be suspended, based on the Findings of Fact and Conclusions of Law set forth below:

### FINDING OF FACTS

1. Lamar Hughes was issued a Washington education certificate, No. 159836F, on June 17, 1968. That certificate currently remains valid.
2. Lamar Hughes was employed by the Tahoma School District from September 1993 until June 30, 2002.

LAMAR HUGHES  
AGREED ORDER OF SUSPENSION



3. On April 12, 2002, the Office of Professional Practices, within OSPI, received a complaint letter from the superintendent of the Tahoma 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) 180-87, by Lamar Hughes.

4. On April 21, 2005, the Office of Professional Practices, within OSPI, received a complaint letter from the superintendent of the Tacoma Public Schools alleging a lack of good moral character or personal fitness, or a violation of the Code of Professional Conduct, Washington Administrative Code (WAC) 180-87, by Lamar Hughes.

5. During the time Mr. Hughes was employed by the Tahoma School District, he installed unauthorized software on his district computer in violation of school district policy 2022. Mr. Hughes utilized the software to generate invoices for his private business.

6. During the 2001-2002 school year, an assistant in the Tahoma School District Print Shop witnessed Lamar Hughes run personal print jobs on school district printing equipment; materials; and time. The assistant witnessed Lamar Hughes receive payment for personal print jobs and remove personal print jobs from the print shop. The assistant found several personal plates in the print shop that belonged to Mr. Hughes.

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7. On December 20, 2001, Tahoma School District administrators met with Lamar Hughes to discuss using district equipment and compensated time to create and print documents for private individuals, businesses, or agencies for which the district had no invoice records nor received any payment. Mr. Hughes was given a verbal warning that he must refrain from any use of the district print shop facility for any work related to his private business.

8. Lamar Hughes continued to utilize school district equipment; materials; and time to run personal print jobs after he was warned on December 20, 2001 to refrain from any use of the district print shop facility for any work related to his private business.

9. On January 28, 2002, Tahoma School District administrators met with Lamar Hughes and discussed his continued use of the district print shop facility, and his position in the school district to complete printing jobs for private businesses, groups, or individuals which appeared to be through his own business. Lamar Hughes was placed on Administrative Leave with Pay at the meeting, pending an investigation.

10. On January 29, 2002, the Tahoma School District notified the Washington State Auditor's Office regarding a possible misuse of school district assets by Lamar Hughes.

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11. On July 3, 2002 the State Auditor's Office reported to Tahoma School District their findings. The Auditor's Office reviewed and agreed with the results of the school district's investigation and found that Lamar Hughes's actions did represent a misuse of public assets and misappropriated public funds as well as violated the district's Conflict of Interest Policy (no. 5223) by: using school district equipment for personal gain on various occasions; performing some of the work to "off book" customers on district time; installing unauthorized software for personal business on a district computer; and receiving payment for personal print services provided to "off book" customers. The Auditor's office also found that the district was unable to assign an actual amount to the loss. As a result, the Auditor's office recommended that Tahoma School District officials seek recovery of \$1500.00, the admitted amount of misappropriated funds and related audit/investigation costs from Lamar Hughes.

12. On July 11, 2002, Lamar Hughes entered into a Settlement Agreement with the Tahoma School District. As a part of the agreement, Lamar Hughes was to resign or retire under his certificated teaching contract, effective June 30, 2002. In addition, as part of a mutual negotiation, Lamar Hughes was to receive his accrued vacation in the amount equal to \$3,113.00. The district was entitled to unpaid invoices by Lamar Hughes in the amount of \$1,500.00. The School District and Lamar Hughes agreed that instead of exchanging the above amounts, the district would instead pay him \$1,613.00, thereby satisfying both obligations of Lamar Hughes and the school district.

13. Lamar Hughes entered into retirement with the Washington State Department of Retirement Systems effective July 1, 2002.

14. On August 22, 2002, Mr. Hughes signed an application for temporary employment with the Tacoma Public Schools. On the application for temporary employment, Mr. Hughes answered "No" to the question of "Have you ever been discharged or dismissed or have you resigned in order to avoid discipline by any employer in the past ten (10) years".

15. Lamar Hughes was employed by the Tacoma School District from July 12, 2004 until June 22, 2005.

16. Good moral character and personal fitness is a continuing requirement to maintain a Washington education certificate.

**CONCLUSIONS OF LAW**

1. OSPI has jurisdiction over Lamar Hughes and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence that the Washington education certificate, No. 159836F, of Lamar Hughes, should be suspended as provided for in WAC 180-86-070.

3. Lamar Hughes has violated WAC 180-87-060, 180-87-050, 180-86-013, 180-86-014, and/or RCW 28A.410.090.

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**ORDER**

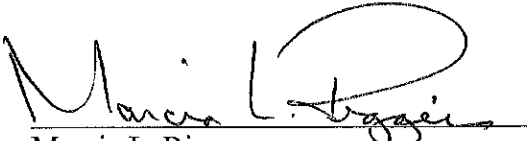
THEREFORE, it is hereby ordered and agreed that the Washington Education Certificate, No. 159836F, of Lamar Hughes, be suspended for six (6) months from the date of entry of this Order.

Reinstatement shall require submission of a new application, provided by OPP and having Lamar Hughes's fingerprints be checked by both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP).

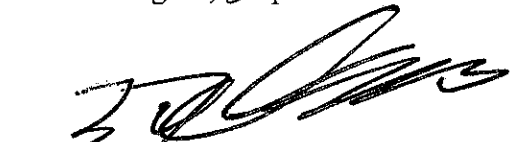
DATED This 19<sup>th</sup> day of April, 2006.

DR. TERRY BERGESON  
Superintendent of Public Instruction  
State of Washington

Stipulated to and approved  
For entry:

  
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Marcia L. Riggers  
Assistant Superintendent  
Student Support and Operations

  
\_\_\_\_\_  
Lamar Hughes, Respondent

  
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Tyler Firkins, Attorney for Respondent  
WSBA #20964