

I, Maggie Pasen certify that on December 4, 2006, 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 )  
 )  
PAUL G. LICHTER )  
CERTIFICATE NO. 206983R )  
\_\_\_\_\_ )

OPP No. D04-09-091  
  
FINAL ORDER OF  
SUSPENSION

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. 206983R, of Paul G. Lichter be suspended for thirty (30) days based on the Findings of Fact and Conclusions of Law set forth below:

**FINDINGS OF FACT**

1. Paul Lichter was issued a Washington Education Certificate, No. 206983R, on August 23, 1974. That certificate currently remains valid.
  
2. Paul Lichter was employed by the Everett School District.
  
3. On September 28, 2004, the Office of Professional Practices, within OSPI, received a complaint letter from the Superintendent of the Everett 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) 181-87, by Paul Lichter.

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4. During the 2003-2004 school year, Mr. Lichter did not comply with a female EBD student's safety/line of sight plan. Mr. Lichter allowed the female student to be, unsupervised, in the presence of male students in a semi-secluded area of Mr. Lichter's classroom.
5. During the 2003-2004 school year, numerous students made allegations of improper sexual touching and exposure of genitalia in the semi-secluded area of Mr. Lichter's classroom. Mr. Lichter's classroom contained 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup> grade students.
6. On July 8, 2004, Mr. Lichter was issued a notice of probable cause for suspension for a period of 10 days. Mr. Lichter filed an appeal/grievance contesting the suspension.
7. On August 10, 2004, Mr. Lichter entered into a settlement agreement with the Everett Public Schools. Mr. Lichter was placed on sick leave, until said sick leave was exhausted, and then placed on administrative leave until January 1, 2005. Also, the notice of probable cause for suspension was withdrawn and a letter of reprimand was substituted. Mr. Lichter resigned his employment with the Everett Public Schools, effective January 1, 2005.
8. Good moral character and personal fitness is a continuing requirement to maintain a Washington Education Certificate.

#### CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Paul G. Lichter and over the subject matter of this action.
2. OSPI has shown by clear and convincing evidence that Washington Education Certificate, No. 206983R, of Paul G. Lichter, should be suspended as provided for in WAC 181-86-070.

3. Paul G. Lichter has violated WAC 181-87-060, RCW 28A.410.090, WAC 181-86-013, and/or WAC 181-86-014.

**ORDER**

THEREFORE, it is hereby ordered that the Washington Education Certificate, No. 206983R, of Paul G. Lichter, be suspended for thirty (30) days.

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

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 4th day of December, 2006.

DR. TERRY BERGESON  
Superintendent of Public Instruction  
State of Washington



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DR. ARLENE HETT  
Review Officer