



# 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. D05-08-094
	)	
	)	AGREED ORDER
Aaron Paker	)	OF SUSPENSION
Certificate No. 369149J	)	
	)	

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 Aaron Paker, that the Washington Education Certificate, No. 369149J, of Aaron Paker, shall be suspended, based on the Findings of Fact and Conclusions of Law set forth below:

### FINDING OF FACTS

1. Aaron Paker was issued a Washington Education Certificate, No. 369149J, on May 11, 1999. That certificate currently remains valid.
2. Aaron Paker was employed by the Tacoma Public Schools.



3. On August 12, 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 Aaron Paker.

4. On June 7, 2005, Kevin Morrison, Tacoma Public Schools Technology Services Technical Security and Documentation Coordinator, observed attempts to access inappropriate material from the Internet from Mr. Paker's assigned School District computer equipment.

5. On June 7, 2005, Mr. Paker's assigned School District computer equipment was being actively used to attempt to access inappropriate material. Edith Readel, Office Coordinator at Stanley Elementary School, observed Mr. Paker, in his classroom, using his District assigned computer equipment.

6. A forensic examination of the hard drive from Mr. Paker's District assigned computer showed numerous searches and access to web sites that included more than 4,600 sexually explicit image and more than 700 videos of sexually explicit content. The forensic examination also showed use of Mr. Paker's District assigned computer equipment was used to access web sites relating to wine, clothes, cars, Internet games, and other non-District related sites.

7. Mr. Paker has received and read the Tacoma Public Schools Policy #6973 – Acceptable Use Policy for Digital Resources and Regulation 6973R – Acceptable Use Policy for Digital Resources.

8. On August 18, 2005, Mr. Paker signed an Agreement with the Tacoma Public Schools, wherein, he resigns effective August 31, 2005.

9. Mr. Paker states that he did not use his Tacoma Public Schools assigned computer equipment to access and view sexually explicit material but acknowledges that a hearing officer or panel could find clear and convincing evidence that Mr. Paker did access and view sexually explicit material while using District assigned computer equipment.

10. Loris Fabyunky, an educational assistant assigned to Mr. Paker's classroom, states that she was in Mr. Paker's classroom at least 90% of the school day and she never observed Mr. Paker using District assigned computer equipment to access and view sexually explicit material.

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

### CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Aaron Paker and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence that Washington Education Certificate, No. 369149J, of Aaron Paker, should be suspended as provided for in WAC 180-86-070.

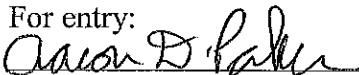
3. Aaron Paker has violated WAC 180-87-060, RCW 28A.410.090, and/or WAC 180-86-013, WAC 180-86-014.

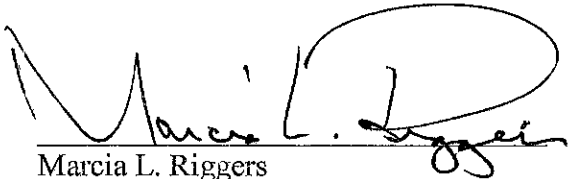
**ORDER**

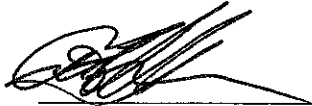
THEREFORE, it is hereby ordered and agreed that the Washington Education Certificate, No. 369149J, of Aaron Paker, be suspended for one hundred twenty (120) days from the date of entry of this Order.

DATED This 5<sup>th</sup> day of January, 2005.

DR. TERRY BERGESON  
Superintendent of Public Instruction  
State of Washington

Stipulated to and approved  
For entry:  
  
Aaron Paker, Respondent

  
Marcia L. Riggers  
Assistant Superintendent  
Student Support and Operations

  
Eric Hansen, Attorney for Respondent  
WSBA #14733

AARON PAKER  
AGREED ORDER OF SUSPENSION