



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)
Mark Robertson)
Certificate No. 255404F)

OPP No. D06-11-091
AGREED ORDER
OF SUSPENSION

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 Mark Robertson, that the Washington Education Certificate, No. 255404F, of Mark Robertson, shall be suspended, based on the Findings of Fact and Conclusions of Law set forth below:

FINDING OF FACTS

1. Mark Robertson was issued a Washington Education Certificate, No. 255404F, on July 1, 1983. That certificate currently remains valid.
2. Mark Robertson was employed by the Lake Washington School District.
3. On November 22, 2006, the Office of Professional Practices, within OSPI, received a complaint letter from the Superintendent of the Lake Washington School District alleging a lack

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of good moral character or personal fitness, or a violation of the Code of Professional Conduct, Washington Administrative Code (WAC) 181-87, by Mark Robertson.

4. On June 25, 2005, Mr. Robertson used Lake Washington School District computer equipment to access internet sites containing sexually explicit images.

5. In August of 2006, Mr. Robertson used Lake Washington School District computer equipment to send e-mails, from his District e-mail account, to persons for purposes of arranging romantic meetings.

6. Lake Washington School District Acceptable Use Policy, Appropriate Use, states: The District expects everyone to exercise good judgment and use the computer equipment in a professional manner...The District recognizes, however, that some personal use is inevitable, and that incidental and occasional personal use that is infrequent or brief in duration is permitted as long as it occurs on personal time, does not interfere with District business, and is not otherwise prohibited by District policy or procedures.

7. In August of 2006, Mr. Robertson used Lake Washington School District computer equipment to open and view e-mails on his personal e-mail account. Mr. Robertson viewed e-mails sent to him through an internet dating/meeting site.

8. In August of 2006, Mr. Robertson used his Lake Washington School District assigned computer to open and view one e-mail, on his personal e-mail account, which contained sexually explicit images.

9. On October 24, 2006, Mr. Robertson signed a Separation Agreement and Release with the Lake Washington School District. In the Agreement, Mr. Robertson resigns his employment effective March 31, 2007.

10. Mr. Robertson participated in an interview with an OPP investigator on October 23, 2007. During the interview, Mr. Robertson stated that he did not recall the internet activity from June of 2005.

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

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Mark Robertson and over the subject matter of this action.
2. OSPI has shown by clear and convincing evidence that Washington Education Certificate, No. 255404F, of Mark Robertson, should be suspended as provided for in WAC 181-86-070.
3. Mark Robertson has violated WAC 181-87-060, RCW 28A.410.090 (1), RCW and/or 28A.410.090 (4) (a).

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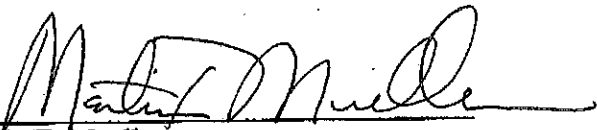
ORDER

THEREFORE, it is hereby ordered and agreed that the Washington Education Certificate, No. 255404F, of Mark Robertson, be suspended for two (2) months from the date of entry of this Order.

Reinstatement shall require submission of a new application, provided by OPP and having Mark Robertson's fingerprints be checked by both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP). Reinstatement shall be also contingent upon Mark Robertson's fingerprint background check returning with no criminal convictions that are listed in WAC 181-86-013, RCW 28A.410.090, and/or any felony convictions.

DATED This 30th day of October, 2007.

DR. TERRY BERGESON
Superintendent of Public Instruction
State of Washington

By: 
Martin T. Mueller
Assistant Superintendent
Student Support and Operations

Stipulated to and approved
For entry; notice of presentation
waived:


Mark Robertson, Respondent