



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. D06-12-095
)	
)	AGREED ORDER
TRAVIS VAN MARTER)	OF SUSPENSION
Certificate No. 384940C)	
)	

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 Travis Van Marter, that the Washington Education Certificate, No. 384940C, of Travis Van Marter, shall be suspended, based on the Findings of Fact and Conclusions of Law set forth below:

FINDING OF FACTS

1. Travis Van Marter was issued a Washington Education Certificate, No. 384940C on March 1, 2001. That certificate currently remains valid.
2. Travis Van Marter was employed by the Grapeview School District.

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3. On December 13, 2006, the Office of Professional Practices, within OSPI, received a complaint letter from the Superintendent of the Grapeview 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 Travis Van Marter.

4. On or about December 4, 2006, and again on December 5, 2006 the Grapeview School District discovered that Travis Van Marter was using his school computer to gain access to multiple web sites with sexually explicit images. While the sexually explicit material was viewed on the school's computer, it was not accessed or observed by any student

5. On December 5, 2006, Mr. Van Marter was placed on administrative leave.

6. On December 12, 2006, a forensic examination report was issued on the Grapeview school district computer assigned to Travis Van Marter. The report showed an attempt on December 4 and 5, 2006 to wipe clean internet history and files using the programs ONTRACK and SPYBOT. The forensic exam resulted in recovery of 113 internet history files showing visits to many hardcore pornographic web sites. Thirty-seven picture files were recovered, these files showed various sex acts involving people that are young in appearance.

7. Examination of the Registry files of Travis Van Marter's computer showed access to numerous pornography web sites and a history of MPEG pornographic videos.

8. During an interview with Grapeview School District officials on January 4, 2007, Mr. Van Marter did not deny accessing and viewing sexually explicit images on his school district assigned computer.

9. On January 12, 2007, Travis Van Marter submitted a letter of resignation to the Grapeview School Board and Superintendent.

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 Travis Van Marter and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence, that Washington Education Certificate, No. 384940C, of Travis Van Marter, should be suspended as provided for in WAC 181-86-070.

3. Travis Van Marter has violated WAC 181-87-060, RCW 28A.410.090, WAC 181-86-013, and WAC 181-86-014.

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ORDER

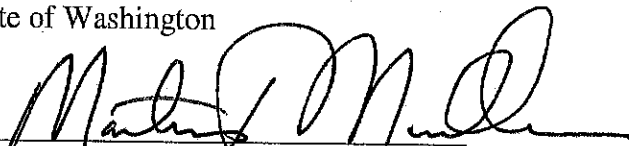
THEREFORE, it is hereby ordered and agreed that the Washington Education Certificate, No. 384940C, of Travis Van Marter, be suspended for four (4) months from the date of entry of this Order.

Reinstatement will require successful completion of the following stipulations:


(1) successful completion of a psychological evaluation which validates Travis Van Marter's ability to have unsupervised access to children, by an evaluator mutually agreed upon by the Office of Professional Practices (OPP) and Travis Van Marter; (2) that Travis Van Marter provide written consent for OSPI to release documents to the evaluator for purposes of completing an evaluation and course of treatment; (3) that Travis Van Marter follows and completes any and all treatment recommended in the evaluation; (4) that Travis Van Marter provides a release authorizing OPP to have access to records of any and all evaluations and any and all subsequent treatment undertaken; (5) and that the cost of conformance to all reinstatement requirements will be the responsibility of Travis Van Marter. Reinstatement shall also require submission of a new application, provided by OPP and having Travis Van Marter's fingerprints be checked by both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP).


DATED This 2nd day of April, 2007.

DR. TERRY BERGESON
Superintendent of Public Instruction
State of Washington


Martin T. Mueller
Assistant Superintendent
Student Support and Operations

Stipulated to and approved
For entry:


Travis Van Marter, Respondent


Eric Hansen, Attorney for Respondent
WSBA #14733

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