



# 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. D07-03-030

Samson Lyman )  
Certificate No. 413639F )

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 Samson Lyman, that the Washington Education Certificate, No.413639F, of Samson Lyman, shall be suspended, based on the Findings of Fact and Conclusions of Law set forth below:

## FINDING OF FACTS

1. Mr. Lyman was issued a Washington Education Certificate, No. 413639F, on December 23, 2003. That certificate currently remains valid.

2. Mr. Lyman was employed by the Moses Lake School District.

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SAMSON LYMAN  
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3. On March 26, 2007, the Office of Professional Practices, within OSPI, received a complaint letter from the Superintendent of the Moses Lake 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 Samson Lyman.

4. During the 2006-2007 school year, Mr. Lyman: used profanity in the classroom while in the presence of students; allowed students to use profanity in class; allowed students to draw graphic sexual pictures on the white board; and made inappropriate comments to students.

5. During the 2006-2007 school year, Mr. Lyman: talked about the Mormon religion by calling Brigham Young University "Breed them Young University"; called a female student "Molly Mormon"; made comments about race, made ethnic slurs and jokes, sexual connotations; and called students "idiots" and "stupid".

6. During the 2006-2007 school year, Mr. Lyman often used class time to disclose his personal life, play his mandolin and sing songs regarding his personal life.

7. On October 20, 2006, Mr. Lyman showed his class the movie "Speed" which is rated "R". Mr. Lyman failed to get District or school administration approval and did not require students to get parental permission to view the movie. On October 25, 2006, Mr. Lyman was given a Letter of Reprimand by David Balcom, Moses Lake High School Principal.

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8. On or about January 30, 2007, Mr. Lyman was verbally advised by Dave Balcom, Principal of Moses Lake High School, at the direction of Dr. Chestnut, Superintendent, that he was being put on Administrative Leave with privileges allowing him to come on to school property.

9. On February 27, 2007, Mr. Lyman received a letter advising him that those privileges were reconsidered and he was to stay off School District property.

10. On March 19, 2007, Moses Lake School District Superintendent Steve Chestnut notified Mr. Lyman by letter that his provisional employment contract with Moses Lake School District would not be renewed for the next ensuing school term.

11. On March 21, 2007, Mr. Lyman entered the Moses Lake High School commons area during lunch time. He was contacted by Abram Ramirez, Moses Lake High School Assistant Principal and told that he was not to be on school property. Mr. Lyman stood on a chair in the commons area and began to read from a book and then began to shout profanity towards school administration. Mr. Lyman was asked to leave by David Balcom, Moses Lake High School Principal. Mr. Lyman did not leave the commons area. Mr. Lyman was physically carried out of the commons area by high school administrators and security personnel. Outside the commons area, Moses Lake Police officers took custody of Mr. Lyman, escorted him off District property, and transported Mr. Lyman to his residence; Moses Lake Police Department Incident Report #07ML3089.

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12. On May 29, 2007, a Criminal Complaint was filed in Grant County District Court charging Mr. Lyman with Disorderly Conduct, Revised Code of Washington (RCW) 9A.84.030; Cause No. 07-G070131CC.

13. On July 23, 2007, Mr. Lyman signed a Statement of Defendant on Plea of Guilty in Grant County District Court and pleaded guilty to Disorderly Conduct, RCW 9A.84.030. The Court decided that Mr. Lyman was to have no similar violations of law for one (1) year starting from March 21, 2007. The matter was to be reviewed for sentencing on March 19, 2008.

14. On March 19, 2008 this case was dismissed.

15. On May 19, 2008, Mr. Lyman participated in an interview with an OPP investigator and submitted a sworn statement. During the interview and in his statement, Mr. Lyman states: that he used profanity only twice in the presence of students; that he did not talk inappropriately about race; that he did make comments about Brigham Young University; that he was unaware of the District policy for showing "R" rated movies to students; that he never drew inappropriate pictures and tried to control the behavior of students that did draw inappropriate pictures; that he never meant to offend young Latter Day Saints church members; that he never brought up drugs or drinking except to say don't do them; that he did not allow student use of profanity; that he regrets his impulsive action of entering Moses Lake High School property; and he regrets his behavior and hurting students.

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 Samson Lyman and over the subject matter of this action.
  
2. OSPI has shown by clear and convincing evidence that Washington Education Certificate, No. 413639F, of Samson Lyman, should be suspended as provided for in WAC 181-86-070.
  
3. Samson Lyman has violated: WAC 181-87, RCW 28A.410.090, WAC 181-86-013, and/or WAC 181-86-014.

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JUN 30 2008

OFFICE OF PROFESSIONAL PRACTICES

ORDER

THEREFORE, it is hereby ordered and agreed that the Washington Education Certificate, No. 413639F, of Samson Lyman, be suspended for twelve (12) 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 Samson Lyman's ability to have unsupervised access to children to include anger management, by an evaluator mutually agreed upon by the Office of Professional Practices (OPP) and Samson Lyman; (2) that Samson Lyman provide written consent for OSPI to release documents to the evaluator for purposes of completing an evaluation course of treatment; (3) that Samson Lyman follows and completes any and all treatment recommended in the evaluation; (4) that Samson Lyman provides a release authorizing OPP to have access to records of any and all subsequent treatment undertaken; (5) and that the cost of conformance to all reinstatement requirements will be the responsibility of Samson Lyman.

AND REINSTATEMENT SHALL ALSO require submission of a new application, provided by OPP and having Samson Lyman's fingerprints checked by both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP). Reinstatement shall be contingent upon Samson Lyman'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 1<sup>st</sup> day of July, 2008.

DR. TERRY BERGESON  
Superintendent of Public Instruction  
State of Washington

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

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

Samson Lyman  
Samson Lyman, Respondent

SAMSON LYMAN  
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