



SUPERINTENDENT OF PUBLIC INSTRUCTION

Randy I. Dorn Old Capitol Building · PO BOX 47200 · Olympia, WA 98504-7200 · <http://www.k12.wa.us>

RE: Lane Winsor
OSPI Case No.: D15-05-023
Document: Agreed Order of Suspension

Regarding your request for information about the above-named educator; attached is a true and correct copy of the document on file with the State of Washington, Office of Superintendent of Public Instruction, Office of Professional Practices. These records are considered certified by the Office of Superintendent of Public Instruction.

Certain information may have been redacted pursuant to Washington state laws. While those laws require that most records be disclosed on request, they also state that certain information should not be disclosed.

The following information has been withheld: **NONE**

If you have any questions or need additional information regarding the information that was redacted, if any, please contact:

OSPI Public Records Office
P.O. Box 47200
Olympia, WA 98504-7200
Phone: (360) 725-6372
Email: PublicRecordsRequest@k12.wa.us

You may appeal the decision to withhold or redact any information by writing to the Superintendent of Public Instruction, OSPI P.O. Box 47200, Olympia, WA 98504-7200.



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IN THE MATTER OF THE EDUCATION)	
CERTIFICATE OF)	OPP No. D15-05-023
)	
Lane Winsor)	AGREED ORDER
Certificate No. 396275J)	OF SUSPENSION
)	

INTRODUCTION

After receiving and investigating a complaint from Pasco (Washington) School District regarding the above referenced educator, and based upon the facts available as of the date of this Agreed Order, the Superintendent of Public Instruction, through his undersigned designee, does hereby stipulate, by and between the Office of Superintendent of Public Instruction (OSPI), the Office of Professional Practices (OPP) and Lane Winsor, that the Washington Education Certificate No. 396275J, of Lane Winsor, shall be suspended based on the Findings of Fact and Conclusions of Law set forth below:

I. FINDINGS OF FACT

1. On March 14, 2002, Lane Winsor, hereafter referred to as Mr. Winsor, was issued Washington Education Certificate, No. 396275J. That certificate currently remains valid.
2. During the 2011-2012 school year, a female student, S.M., informed Pasco High Schools administration that Mr. Winsor had touched her face and commented upon her appearance.
 - a. S.M. also claimed that Mr. Winsor had put a finger into a hole in her jeans.
 - b. Mr. Winsor denies that he intentionally touched S.M.'s face and denies that he placed a finger in a hole in her jeans.
 - c. Pasco High School administration directed Mr. Winsor not to touch students in any manner and to have no contact with S.M.
 - d. In March 2012, S.M. obtained a one-year anti-harassment order against Mr. Winsor in Franklin County District Court.

3. In June 2012, Pasco High School administration was informed that that Mr. Winsor had made comments about a female student's breasts.

- a. One occasion occurred while Mr. Winsor and female students were viewing a magazine cover of a woman breastfeeding a 4 or 5 year old child.
 1. A male student stated Mr. Winsor said a female student's breasts were not big enough for breastfeeding.
 2. Mr. Winsor states that he did not comment about a specific female student but responded to a student's question as to if the magazine cover was an altered or unaltered photograph.
- b. One occasion, when a female student placed her cell phone into her bra or under a bra strap, Mr. Winsor made a comment of or similar to, "You girls putting your cell phone into your little boob thing."

4. In August 2012, Mr. Winsor attended Pasco School District training of professional boundaries with students.

- a. Among the training presentation materials were the following directives:
 1. You are not the Student's friend.
 2. Building relationships with students does not mean you violate this expectation.
 3. No making statements about clothing, physical features, etc...
 4. No socializing on social networks or interactive applications.

5. At the beginning of the 2012-2013 school year, staff observed Mr. Winsor hugging students.

- a. On September 26, 2012, Michelle Whitney, Executive Director of Human Resources issued Mr. Winsor a Letter of Direction and verbal reprimand.

6. On October 4, 2012, Mr. Winsor completed Pasco School District mandated online trainings through the SafeSchools site.

- a. Among the information presented in the training were the following directives:

1. Avoid counseling students on non-school matters.
2. Avoid meeting students away from school.
3. Avoid making comments about student's body
4. Never invite students to (the educator's) residence, unless for a school event and other school/district staff there.
5. Avoid corresponding with students via e-mail or texting, especially one-on-one.
6. Staff should not friend students on social networks like Facebook.
7. Staff are expected to know and follow District policies.
8. The role of school staff is an adult authority figure to minors, not as a friends or peer.
9. Do not friend or follow students on social media.
10. Do not provide students your home or cell phone number.
11. Do not call students.
12. Avoid meeting with students away from school grounds unless as part of a school event.
13. Do not correspond via e-mail unless about school business.

7. During the 2012-2013 school year, Mr. Winsor had current and former students listed as friends on his personal Facebook profile.

- a. After receiving the training on October 4, 2012, Mr. Winsor did not remove students as friends from his personal Facebook profile.
- b. After receiving the training on October 4, 2012, Mr. Winsor posted comments on current and former Pasco High School students' Facebook profiles.

8. Towards the end of the 2012-2013 school year, Mr. Winsor met with male and female students outside of school for photography shoots.

- a. One occasion was at Mr. Winsor's residence with two female students, B.R. and F.T., so they could utilize his photography equipment.

1. Mr. Winsor states that he had the female students bring adults with them to his residence.
2. B.R. brought her 19 year old boyfriend.
- b. Mr. Winsor met female students, E.R. and B.R., at two sites in the Tri-Cities area.
9. From May 2013 until late August 2013, Mr. Winsor exchanged text messages with D.B., a 10th grade female student. D.B. was on Mr. Winsor's high school tennis team.
 - a. The text exchanges were peer-like conversations.
 - b. Mr. Winsor sent text messages to D.B. as late as 10:30 PM.
10. On August 7, 2013, Mr. Winsor was placed on administrative leave.
11. On July 21, 2014, Mr. Winsor was issued a Letter of Probable Cause for Termination.
 - a. Mr. Winsor filed a timely appeal of the Probable Cause for Termination.
 - b. On December 13, 2014, Mr. Winsor signed a Settlement Agreement with the Pasco School District.
 1. Per the agreement, Mr. Winsor received the remainder of his salary for the 2014-2015 school year; \$58, 857.
 2. Mr. Winsor submitted his resignation from the Pasco School District, effective the same day.
12. On June 20, 2016, Mr. Winsor participated in an interview with an OPP investigator.
 - a. Mr. Winsor states that:
 1. His intentions with his interactions with students was never to do harm, mentally or physically. He enjoyed teaching and interacting with students.
 2. In conversations with prior students, he has been told that they enjoyed his classes, their interactions, and considered his classroom a safe haven.

II. CONCLUSIONS OF LAW

1. Chapter 28A.410 RCW gives the Professional Educator Standards Board the authority to develop regulations determining eligibility for and certification of personnel employed in the

common schools of the state of Washington. OSPI acts as the administrator of those statutes and regulations and has the authority to issue, reprimand, suspend, and revoke education certificates. RCW 28A.410.010. (RCW 28A.410.090) WAC 181-86 and WAC 181-87 further implement OPSI's authority.

2. OSPI has jurisdiction over Lane Winsor and the subject matter discussed herein.
3. Lane Winsor committed acts of unprofessional conduct pursuant to WAC 181-87-060.
4. There is clear and convincing evidence that Lane Winsor committed unprofessional conduct. WAC 181-86-170 (Burden and Standard of Proof).
5. Pursuant to WAC 181-86-080 eleven factors, at a minimum, are to be considered to determine the appropriate level and range of educator discipline:

1. The seriousness of the act(s) and the actual or potential harm to persons or property;
2. The person's criminal history including the seriousness and amount of activity;
3. The age and maturity level of participant(s) at the time of the activity;
4. The proximity or remoteness of time in which the acts occurred;
5. Any activity that demonstrates a disregard for health, safety or welfare;
6. Any activity that demonstrates a behavioral problem;
7. Any activity that demonstrates a lack of fitness;
8. Any information submitted regarding discipline imposed by any governmental or private entity as a result of acts or omissions;
9. Any information submitted that demonstrates aggravating or mitigating circumstances;
10. Any information submitted to support character and fitness; and
11. Any other relevant information submitted.

6. Based on the foregoing facts and considering them in light of the eleven factors enumerated in WAC 181-86-080, and in light of WAC 181-86-070 (Grounds for Issuance of an Order of Suspension), and WAC 181-87-060, Lane Winsor's education certificate should be suspended for unprofessional conduct.

III. ORDER

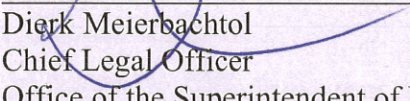
THEREFORE, it is hereby ordered and agreed that the Washington Education Certificate, No. 396275J, of Lane Winsor be suspended for forty-five (45) days, and that:

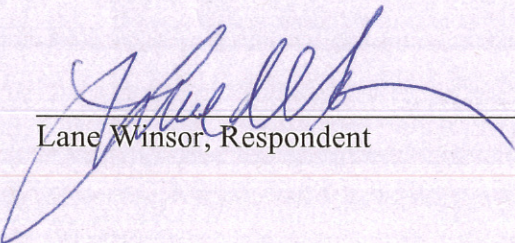
REINSTATEMENT of Lane Winsor's education certificate shall require: (1) successful completion of course or program discussing appropriate/inappropriate interactions by educators with K-12 students, mutually agreed upon by the Office of Professional Practices and Lane Winsor; (2) Lane Winsor will provide proof of completion of the course/program specified in #1; (3) submission of a new application, including Character and Fitness Supplement, provided by OPP and having Lane Winsor's fingerprints be checked by both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP); and (4) that if Lane Winsor education certificate expires during the period of suspension, Lane Winsor will show that he meets all academic requirements for renewal/reinstatement of the education certificate. Reinstatement shall also be contingent upon Lane Winsor's fingerprint background check returning with no criminal convictions, occurring after the date of issuance of this Agreed Order of Suspension, that are listed in WAC 181-86-013, RCW 28A.410.090, or any felony convictions. The cost of conformance to all reinstatement requirements will be the responsibility of Lane Winsor.

DATED This 15th day of August, 2016.

RANDY I. DORN
Superintendent of Public Instruction
State of Washington

Stipulated to and approved
For entry:


Dierk Meierbachtol
Chief Legal Officer
Office of the Superintendent of Public Instruction


Lane Winsor, Respondent