



SUPERINTENDENT OF PUBLIC INSTRUCTION

RANDY I. DORN 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. D08-05-033
)	
OMAR LIZARRAGA)	FINAL ORDER
Certificate No. 380113A)	OF REVOCATION
_____)	

COMES NOW the Office of Superintendent of Public Instruction (OSPI), 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 revoke the Washington Education Certificate, No. 380113A, of Omar Lizarraga, based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. Omar Lizarraga was issued a Washington Education Certificate, No. 380113A, on September 25, 2000. That certificate currently remains valid.
2. Omar Lizarraga was employed by the Mukilteo School District.
3. On May 16, 2008, the Office of Professional Practices, within OSPI, did receive a complaint letter from Marci L. Larsen, Ed.D., Superintendent of the Mukilteo School District alleging a lack of personal fitness, or a violation of the Code of Professional Conduct, Washington Administrative Code (WAC) 181-87, by Omar Lizarraga.

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4. On February 25, 2008, at Omar Lizarraga's request, the Mukilteo School District placed Omar Lizarraga on long term family leave for the remainder of the school year so that he could care for his ill mother, who resided in Mexico.

5. On April 22, 2008, Omar Lizarraga was the passenger in a van being driven by an associate of his. In the area of Panhandle, Texas, Omar Lizarraga and his associate were stopped by a Texas State Trooper. During the traffic stop, the Trooper observed modifications that had recently been done to the van to create what appeared to be false compartments. Pursuant to investigation, 15 kilos (33 pounds) of cocaine were found in the vehicle.

6. On April 22, 2008, Omar Lizarraga was arrested in Panhandle, Texas for Possession of a Controlled Substance, a First Degree Felony; Texas Department of Safety Case No. OR 08-1450.

7. On April 22, 2008, Omar Lizarraga was interviewed by Sergeant Garry Walsmith, Texas Department of Public Safety Narcotics Service.

8. On April 22, 2008, the Carson County, Texas Grand Jury issued an Indictment charging Omar Lizarraga with Possession of a Controlled Substance with Intent to Deliver; Carson County, Texas District Court Cause No. 4094.

9. On May 15, 2008, Omar Lizarraga was advised by Fred Poss, Mukilteo School District Deputy Superintendent, that pending completion of the investigation, he was prohibited from entering Mukilteo School District property for the 2008-2009 school year.

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10. On October 24, 2008, Omar Lizarraga signed a Separation Agreement and Release, resigning his employment with the Mukilteo School District, effective October 24, 2008.

11. On May 20, 2009, The 100th District Court in and for Carson County, Texas filed a Motion to Dismiss the criminal charges against Omar Lizarraga, citing the reason for dismissal as, "Best interest of Justice; per the District Attorney".

12. On November 6, 2009, a DEA agent involved in the investigation confirmed Omar Lizarraga's involvement in transporting drugs on more than one occasion. The DEA agent confirmed that the dismissal was based on Omar Lizarraga informing DEA agents about other significant drug personnel and activities, not lack of evidence.

13. On November 18, 2009, Omar Lizarraga responded with a sworn statement to OPP.

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

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CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Omar Lizarraga and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence that the Washington Education Certificate, No. 380113A, of Omar Lizarraga, should be revoked as provided for in WAC 181-86-075.

3. Omar Lizarraga has violated RCW 28A.410.090, WAC 181-86-013 and/or WAC 181-86-014.

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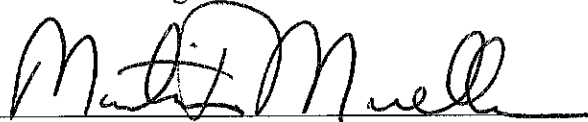
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ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate, No. 380113A, of Omar Lizarraga be revoked.

DATED This 16th day of February, 2009.

RANDY I. DORN
Superintendent of Public Instruction
State of Washington



Martin T. Mueller
Assistant Superintendent
Student Support