



# 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. D09-06-051
	)	
Todd Dykman	)	FINAL ORDER OF
Certificate No. 411880H	)	MANDATORY PERMANENT
_____	)	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 permanently revoke the Washington Education Certificate, No. 411880H, of Todd Dykman, based on the Findings of Fact and Conclusions of Law set forth below:

## FINDINGS OF FACT

1. Todd Dykman was issued a Washington Education Certificate, No. 411880H, on September 25, 2003. That certificate currently remains valid.

2. Todd Dykman was employed by the Clover Park School District.

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3. On June 25, 2009, the Office of Professional Practices, within OSPI, did receive a complaint letter from Deborah L. LeBeau, the superintendent of the Clover Park School District alleging a lack of personal fitness, or a violation of the Code of Professional Conduct, Washington Administrative Code (WAC) 181-87, by Todd Dykman

4. During the 2007-2008 school year, Todd Dykman had sexual contact on multiple occasions with A.B., a female high school student.

5. On March 24, 2008, Tim Stults, assistant principal at Lakes High School, issued a Letter of Reprimand to Todd Dykman, for viewing a pornographic video on a student's cell phone. The video showed sexual activity involving 2 male students having sex with a female student, which was filmed without her consent or knowledge. Todd Dykman returned the cell phone to the student who owned it instead of confiscating it, or reporting the incident.

6. During the 2008-2009 school year, Todd Dykman had sexual contact on multiple occasions with A.F., a 15 year old female high school student.

7. In November 2008, Lakes High School administrative staff received rumors that Todd Dykman had been involved in potentially inappropriate relationships with young female students.

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8. On November 13, 2008, Lakewood Police Department initiated an investigation regarding the sexual misconduct allegations involving Todd Dykman and female high school students. (Lakewood Police Report No. 083180904-1)

9. On December 10, 2008, Todd Dykman met with Lakes High School administrators and Doug Kernutt, Human Resources Administrator, to discuss the outcome of the law enforcement investigation. Administrators discussed concerns regarding Todd Dykman's behavior that got him involved with the rumors, such as being too friendly with students and swimming in the pool with students. Administrators informed Todd Dykman that they recognized a pattern of behavior over the past 2 years and were concerned he was "putting himself in a position where rumors of this nature were certainly cause for concern". Todd Dykman was directed to "review the WEA video on student teacher relationships and talk with CPEA leadership regarding behavior that may need to be examined regarding his relationship with students".

10. On December 12, 2008, Todd Dykman received an Investigative Summary of the meeting that was held on December 10, 2008. Todd Dykman was again directed to examine his own behavior regarding his behavior with students.

11. On February 3, 2009, After Todd Dykman was directed to have no contact with A.F., he was seen sitting with her on the sofa located by his office.

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12. On February 4, 2009, Todd Dykman received an email from Assistant Principal Karen Mauer-Smith, confirming a conversation they had on February 3, 2009. Karen Mauer-Smith confirmed that female student A.F. was being removed from his classroom and Todd Dykman was not to have any contact with her. Todd Dykman was directed to send A.F. away if she approached him.

13. On February 11, 2009, Assistant Principal Karen Mauer-Smith confirmed in an email to Doug Kernutt that Todd Dykman had viewed the WEA videos; *Appropriate Touch* and *Sexual Harassment*.

14. On February 18, 2009, Karen Mauer-Smith, assistant principal at Lakes High School, issued a Letter of Reprimand to Todd Dykman for "Insubordination and Unprofessional Conduct". Todd Dykman had been directed to avoid being alone with female students in his office, and to specifically not have contact with A.F, a 15 year old female student.

15. On March 19, 2009, Douglas Kernutt, Administrator for Human Resources, placed Todd Dykman on Administrative Leave for having an inappropriate relationship with a female student.

16. On June 10, 2009, Todd Dykman contacted A.B., and inquired about what she had told school officials and law enforcement.

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17. On June 10, 2009, Todd Dykman was arrested and booked in the Pierce County Jail on 1 (one) count of Sexual Misconduct with a Minor in the First Degree.

18. On June 11, 2009, a Declaration for Determination of Probable Cause and Information were filed in Pierce County Superior Court (Cause No. 09-02886-1), charging Todd Dykman with the following charges: two (2) counts Sexual Misconduct with a Minor in the First Degree (RCW 9A.44.093(1)(b), and one (1) count Sexual Misconduct with a Minor in the Second Degree (RCW 9A.44.096(1)(b).

19. On August 12, 2009, a Supplemental Declaration for Determination of Probable Cause and an Amended Information were filed in Pierce County Superior Court. Todd Dykman's charges were amended to: two (2) counts Sexual Misconduct with a Minor in the First Degree (RCW 9A.44.093(1)(b), one (1) count Sexual Misconduct with a Minor in the Second Degree (RCW 9A.44.096(1)(b), six (6) counts Rape of a Child in the Third Degree (RCW 9A.44.097), and one (1) count Tampering with a Witness (RCW 9A.72.120(1)(c); Pierce County Superior Court Cause No. 09-02886-1.

20. On August 28, 2009, Todd Dykman entered into an Agreement with Clover Park School District. In the Agreement, Todd Dykman was placed on a leave of absence without compensation beginning September 1, 2009 and ending no later than August 31, 2010.

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21. On December 11, 2009, a Corrected Amended Information was filed in Pierce County Superior Court indicating the case had been reassigned from Prosecutor Gerald Horn to Prosecutor Mark Lindquist; Pierce County Superior Court Cause No. 09-02886-1.

22. On December 14, 2009, Todd Dykman signed Statement of Defendant on Plea of Guilty to Sex Offense and a Statement of Defendant on Plea of Guilty (Misdemeanor) in Pierce County Superior Court. Todd Dykman plead guilty to the two (2) counts Sexual Misconduct with a Minor in the First Degree, one (1) count Sexual Misconduct with a Minor in the Second Degree, six (6) counts Rape of a Child in the Third Degree, and one (1) count Tampering with a Witness; Pierce County Superior Court Cause No. 09-02886-1.

23. On December 15, 2009, Todd Dykman was contacted by OPP through his attorney, Steven Krupa to offer him an opportunity to talk with OPP or submit a statement. On December 28, 2009, Steven Krupa informed OPP that Todd Dykman would not be submitting a statement to OPP.

24. On March 12, 2010, Todd Dykman was found guilty, by plea and sentenced; Pierce County Superior Court Cause No. 09-02886-1.

25. Todd Dykman has pleaded guilty or been convicted of a crime identified in Revised Code of Washington (RCW 28A.410.090(3)). Such a plea or conviction authorizes OSPI to permanently revoke the Education Certificate.

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

**CONCLUSIONS OF LAW**

1. OSPI has jurisdiction over Todd Dykman and over the subject matter of this action.
  
2. OSPI has shown by clear and convincing evidence that the Washington Education Certificate, No. 411880H, of Todd Dykman, should be revoked, as provided for in WAC 181-86-075.
  
3. Todd Dykman has violated: RCW 28A.410.090, WAC 181-87-080, WAC 181-87-060, WAC 181-86-013, and/or WAC 181-86-014.

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**ORDER**

Therefore, it is hereby ordered that the Washington Education Certificate, No. 411880H,  
of Todd Dykman be permanently revoked.

DATED This 12<sup>th</sup> day of May, 2010.

RANDY I. DORN  
Superintendent of Public Instruction  
State of Washington



Martin Mueller  
Assistant Superintendent  
Student Support

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