



SUPERINTENDENT OF PUBLIC INSTRUCTION

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

RE: Cynthia Dinan
OSPI Case Number: D16-10-063
Document: 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. D16-10-063
)	
CYNTHIA DINAN)	FINAL ORDER
Certificate No. 517753J)	OF SUSPENSION
)	

After receiving and investigating a notification from NASDTEC Clearinghouse (National Association of State Directors of Teacher Education and Certification) regarding the above referenced educator, and based upon the facts available as of the date of this Proposed Order, the Superintendent of Public Instruction, through his undersigned designee, institutes this proceeding and finds, as described below, that CYNTHIA DINAN (“the Educator”) engaged in acts of unprofessional conduct to include WAC 181-87-050(2) and WAC 181-87-050(7) and does hereby SUSPEND the Educator’s Washington Education Certificate No. 517753J for not less than two (2) months with conditions enumerated below, based on the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. On April 30, 2015, the Educator was issued Substitute Teacher Certificate, No. 517753J. The Substitute Teacher Certificate does not have an expiration date.
2. Prior to moving to Washington State, the Educator held a Texas Educator Certificate.
3. During the 2011–2012 school year, the Educator was employed as a teacher with the La Vernia Independent School District in La Vernia, Texas.

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4. On or about January 23, 2012, the Educator slapped a thirteen-year old student in the face with an open hand.
5. On or about February 28, 2012, the Educator signed a Resignation and Release Agreement with La Vernia Independent School District, releasing the Educator from her teaching contract with an effective date of June 1, 2012.
6. On or about March 5, 2012, a citation for a Class C Assault was issued for the Educator.
7. On or about December 31, 2014, the La Vernia Municipal Court dismissed the assault charge against the Educator.
8. On or about January 22, 2015, the Educator applied for a Substitute Teacher Certificate with the Office of Superintendent of Public Instruction in Washington State.

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9. On or about January 22, 2015, the Educator completed a Character and Fitness Supplement with her application for her Substitute Teacher Certificate. She falsely answered “No” to the following questions:

- a. Are you currently or have you ever been the subject of any certificate or licensing investigation or inquiry by any certification or licensing agency for allegations of misconduct?
- b. Have you ever resigned from or otherwise left any employment (e.g. settlement agreement) while allegations of misconduct were pending?
- c. Have you ever been disciplined by a past or present employer because of allegations of misconduct?
- d. Have you ever been or are you presently under investigation in any jurisdiction for possible criminal charges?
- e. Have you ever exhibited any behavior or conduct which might negatively impact your ability to serve in a role which requires a certificate, credential, or license?
- f. Have you ever engaged in any conduct which resulted in the physical injury or harm of any person(s)?

10. On or about August 22, 2016, the Educator entered into an Agreed Order with the State Board for Educator Certification in Texas. The State Board alleged that the Educator violated 19 Tex. Admin. Code §249.15(b)(3) when she engaged in the physical mistreatment of a student by slapping a student’s face. The Educator agreed to accept a two-year suspension.

11. The Office of Professional Practices (“OPP”) within the Office of Superintendent of Public Instruction (“OSPI”) received a notification from the NASDTEC that the Educator’s teaching certificate was suspended in Texas.

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12. OPP has attempted to contact the Educator, but as of the date of this Order, the Educator has not followed through with responding to OPP's Investigator's attempts to interview her.

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.410.090, RCW 28A.410.010, and WAC 181-86 and WAC 181-87 further implement OPSI's authority.

2. OSPI has jurisdiction over the Educator and the subject matter of this action.

3. The Educator committed acts of unprofessional conduct pursuant to WAC 181-87-050(2 and 7) when she deliberately misrepresented and/or omitted material facts on her application to obtain a teaching certificate in Washington State.

4. There is clear and convincing evidence that the Educator committed acts of unprofessional conduct pursuant to WAC 181-86-170.

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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, and WAC 181-87-050(2), the Educator's education certificate should be suspended for unprofessional conduct.

III. ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate, No. 517753J, of CYNTHIA DINAN is **SUSPENDED**. The Educator may not request reinstatement of her education certificate for at least two (2) months from the effective date of this ORDER.

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CYNTHIA DINAN
FINAL ORDER OF SUSPENSION

REINSTATEMENT of Cynthia Dinan's education certificate shall require:

- (1) The Educator must submit a new application, including a Character and Fitness Supplement, provided by OPP;
- (2) The Educator must complete a fingerprint-based criminal background check through both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP);
- (3) The Educator's fingerprint background check must return with no criminal convictions, occurring after the date of issuance of a Final Order of Suspension, that are listed in WAC 181-86-013, RCW 28A.410.090, or any felony convictions;
- (4) The Educator shall assume all costs of complying with the requirements of this Order.

DATED This 6th day of November, 2017.

CHRIS REYKDAL
Superintendent of Public Instruction
State of Washington

Signed: Dierk Meierbachtol
Chief Legal Officer