



SUPERINTENDENT OF PUBLIC INSTRUCTION

Chris Reykdal 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. D22-05-029
)	
NICHOLAS YALE)	FINAL ORDER
Certificate No. 550767H)	OF MANDATORY
)	PERMANENT REVOCATION
)	

After receiving and investigating a complaint from the Renton School District (“School District”) regarding the above referenced Educator, the Superintendent of Public Instruction, through his undersigned designee, institutes this proceeding and finds that NICHOLAS YALE (“Educator”) has been convicted of a crime listed in Revised Code of Washington (“RCW”) 28A.400.322 and per RCW 28A.410.090(4) does hereby PERMANENTLY REVOKE Washington Education Certificate No. 550767H and does hereby PERMANENTLY REVOKE the Educator’s ability to apply for reinstatement based on the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. On June 19, 2018, the Educator was issued Washington Education Certificate No. 550767H. The Educator’s certificate will expire on June 30, 2026.
 2. From the 2019–20 school year to the 2021–22 school year, the Educator was employed by the School District at Renton High School as a Music teacher.
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3. On May 19, 2022, the Office of Professional Practices (“OPP”) within the Office of Superintendent of Public Instruction (“OSPI”) received a complaint from Damien Pattenaude, the Superintendent of the School District, alleging that the Educator demonstrated a lack of good moral character and personal fitness pursuant to Washington Administrative Code (“WAC”) 181-86-013(1) and/or committed an act of unprofessional conduct pursuant to WAC 181-87-060.
4. In or about December 2019, the Educator told Student A, an 11th-grade female student, that he was attracted to her and not just in a friendship way.
5. Starting in or about January 2020, the Educator and Student A began exchanging electronic messages. The messages contained sexual themes and comments.
6. On more than one occasion between January 2020 and March 2020, the Educator and Student A kissed in his school classroom.
7. In or about January 2021, the Educator and Student A began a sexual relationship.
8. In February 2021, Student A moved in with the Educator and resided with him until May 2022.
9. Student A graduated from high school in June 2021.
10. On or about April 6, 2022, the Educator began exchanging electronic messages with Student B, an 11th-grade female student. Within the messages, the Educator asked Student B sexual themed questions and made comments about engaging in sexual intercourse with her.
11. On or about May 2, 2022, the Educator asked Student B to meet him in his classroom. In his room, the Educator took Student B into a practice room and told her that he had a sexual addiction, that he was attracted to her, that he didn’t want to just push her against the wall and have sex with her as this was more about love. The Educator kissed Student B on the cheek before she left.
12. On May 3, 2022, the Educator was placed on administrative leave.

13. On May 17, 2022, the Educator submitted his resignation from the School District.

14. On November 14, 2022, an Information and Certification for the Determination of Probable Cause were filed in King County Superior Court charging the Educator with Sexual Misconduct 1st Degree, RCW 9A.44.091, and two counts of Communication with a Minor for Immoral Purposes/felony, RCW 9.68A.092.

15. On September 10, 2024, a First Amended Information was filed in King County Superior Court amending the charges against the Educator to Sexual Misconduct 1st Degree, RCW 9A.44.091, Communication with a Minor for Immoral Purposes/felony, RCW 9.68A.092, and Communication with a Minor for Immoral Purposes/misdemeanor, RCW 9.68A.092. A Statement of Defendant on Plea of Guilty to Felony Sex Offense was filed the same day.

16. On October 18, 2024, a Judgment and Sentence was filed in King County Superior Court. The Educator was found guilty, by plea, of Sexual Misconduct 1st Degree, RCW 9A.44.091, and two counts of Communication with a Minor for Immoral Purposes/felony, RCW 9.68A.092. The Educator's sentence included, but was not limited to:

- a. Twenty (20) months total incarceration;
- b. Thirty-six (36) months community custody after release from incarceration;
- c. Sex offender registration.

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II. CONCLUSIONS OF LAW

1. RCW Chapter 28A.410 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. Chapters 181-86 and 181-87 WAC further implement OSPI's authority.

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

3. Pursuant to WAC 181-86-070, there is clear and convincing evidence the Educator has pleaded guilty to or has been convicted of a crime specified in RCW 28A.410.090(4).

4. Pursuant to RCW 28A.410.090(4) and WAC 181-86-013(1), (2), a plea of guilty or a conviction of Sexual Misconduct 1st Degree, RCW 9A.44.091, and Communication with a Minor for Immoral Purposes/felony, RCW 9.68A.092 "bars the certificate holder from any future practice as an education practitioner" and mandates OSPI to permanently revoke the Educator's certificate.

5. Pursuant to WAC 181-86-170, WAC 181-86-013(4), and WAC 181-86-014, there is clear and convincing evidence the Educator has a behavioral problem that endangers the educational welfare or personal safety of students.

6. Pursuant to WAC 181-86-075, permanent revocation is appropriate discipline when (1) the superintendent of public instruction has determined that the education practitioner has committed a felony crime under WAC 181-86-013 (1) or (2) which bars the education practitioner from any future practice as an education practitioner.

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7. 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.

8. 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 181-86-075, RCW 28A.410.090(4), WAC 181-87-060, WAC 181-87-080, and WAC 181-86, the Educator's education certificate should be permanently revoked for demonstrating a lack of good moral character and personal fitness pursuant to WAC 181-86-013(1), committing an act of unprofessional conduct pursuant to WAC 181-87-060 and WAC 181-87-080, and being convicted of a felony crime under RCW 28A.410.090(4) which bars the Educator from any future practice as an educator.

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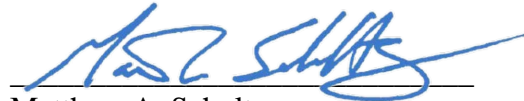
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III. ORDER

THEREFORE, it is hereby ordered that Washington Education Certificate No. 550767H and NICHOLAS YALE's ability to hold a Washington Education Certificate is **PERMANENTLY REVOKED.**

DATED this 16th day of January, 2025.

CHRIS REYKDAL
Superintendent of Public Instruction
State of Washington



Matthew A. Schultz
Chief Legal and Civil Rights Officer