

**BEFORE THE KANSAS STATE BOARD OF EDUCATION**

In the Matter of  
the License  
of Joseph Tokarz

Case No: 18-PPC-20

**FINAL ORDER**

NOW, on this 14th day of August 2018, the above-captioned matter comes for consideration by the Kansas State Board of Education (Board). Appearing for the Board are Chairman, Jim Porter, and members, John Bacon, Kathy Busch, Sally Cauble, Deena Horst, Jim McNiece, Ann Mah, Steve Roberts, Janet Waugh, and Ken Willard.

WHEREUPON the Professional Practices Commission (Commission) considered the matter on June 7, 2018. Joseph Tokarz appeared not. The Kansas State Department of Education appeared through its attorney, General Counsel, R. Scott Gordon. After reviewing the evidence, the Commission voted **5 – 0**, to recommend Joseph Tokarz’s voluntary surrender of his license be accepted and his teaching license and any associated endorsements be revoked immediately.

WHEREUPON the Board reviewed the Commission’s Initial Order and after considering the presentation by Linda Sieck, Commission Chair, who was available to answer the Board’s questions and being otherwise duly advised in the premises, the Board adopted the Commission’s findings of fact and conclusions of law by a vote of **10 – 0**.

All findings set forth in the Commission’s Initial Order attached hereto are incorporated by reference and made a part of this Final Order as though fully set forth at length herein.

IT IS THEREFORE CONCLUDED by the Kansas State Board of Education that Joseph Tokarz’s voluntary surrender of his license is accepted and his teaching license and any associated endorsements be revoked immediately

This Final Order is made and entered this 14th day of August 2018.

Kansas State Board of Education



BY: Jim Porter, Chairman  
Signed August 14, 2018

**NOTICE TO LICENSEE/APPLICANT**

This is a Final Order and is effective upon service.

To request reconsideration of this order, you must file a Petition for Reconsideration with the Secretary to the State Board of Education, at the address below, within 15 days after service of this Final Order. The Petition must state the specific grounds upon which relief is requested.

To request a stay of effectiveness of this order, you must file a Petition for Stay with the Secretary to the State Board of Education at the address below. A petition can be filed until the time which a petition for judicial review would no longer be timely.

To seek judicial review of a Final Order, you must file a petition in the District Court as authorized by K.S.A. 77-601, *et seq.* within 30 days following the service of the Final Order. Filing a Petition for Reconsideration is not a prerequisite for seeking judicial review. A copy of any Petition for Judicial Review must be served upon the Secretary to the State Board of Education at the address below.

Peggy Hill  
Secretary, Kansas State Board of Education  
Landon State Office Building  
900 SW Jackson Ave. Suite 600N  
Topeka, Kansas 66612

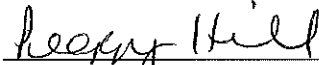
**CERTIFICATE OF SERVICE**

I hereby certify that on this 16<sup>th</sup> day of August 2018, a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to:

Joseph Tokarz  
1774 Rock Creek Road  
Ottawa, Kansas 66067

And via interoffice mail to:

R. Scott Gordon  
Kansas State Department of Education  
900 SW Jackson Street, Ste. 102  
Topeka, Kansas 66612

  
\_\_\_\_\_  
Peggy Hill, Secretary  
Kansas State Board of Education

**BEFORE THE KANSAS STATE BOARD OF EDUCATION  
PROFESSIONAL PRACTICES COMMISSION**

In the Matter of  
the License of  
Joseph Tokarz

18-PPC-20

**INITIAL ORDER**

The above-captioned case comes on for hearing before the Professional Practices Commission (Commission) of the Kansas State Board of Education (State Board) upon the voluntary surrender of Joseph Tokarz's professional license.

The hearing on this matter convened on June 7, 2018.

R. Scott Gordon appeared as counsel for KSDE.

Joseph Tokarz did not appear.

**FINDINGS OF FACT**

1. Mr. Tokarz has held a teaching license issued by the Kansas State Board of Education since 2001.
2. Upon recently receiving information about the inappropriate relationship from the victim, the Kansas State Department of Education advised Mr. Tokarz it would initiate the formal complaint process seeking the revocation of his Kansas teaching license unless he voluntarily surrendered it.
3. On April 27, 2018 Joseph Tokarz voluntarily surrendered his teaching license by way of a signed, sworn statement. Within his statement, Mr. Tokarz acknowledged his inappropriate relationship. Mr. Tokarz also waived his right to any hearing and waived his right to object to any findings made by the Professional Practices Commission and/or the Kansas State Board of Education. Mr. Tokarz's statement is attached to this Order as Attachment A.

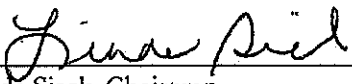
CONCLUSIONS OF LAW  
AND DISCUSSION

1. The State Board may revoke a license for misconduct or other just cause. K.A.R. 91-22-1a(a).
2. Teaching and school administration are professions with all the similar rights, responsibilities and privileges accorded other legally recognized professions. K.S.A. 72-2308.
3. Mr. Tokarz's conduct is inconsistent with the commonly held perceptions and expectations of a member of the teaching profession. Such conduct violates the public trust and confidence placed in members of the profession. Tokarz's conduct demonstrates a lack of fitness to perform the duties and responsibilities of a member of the teaching and school administration professions and is sufficient and just cause to revoke his license.

IT IS THEREFORE RECOMMENDED by the Professional Practices Commission to the Kansas State Board of Education, by a vote of 5 - 0, that Joseph Tokarz's license be revoked based on his inappropriate relationship with a student while employed as a teacher as well as his voluntary surrender.

This Initial Order is made and entered this June 7, 2018.

PROFESSIONAL PRACTICES COMMISSION

  
\_\_\_\_\_  
Linda Sieck, Chairman  
Order signed on June 29, 2018.

## NOTICE TO LICENSEE

This Order is not a Final Order and is required to be reviewed by the Kansas State Board of Education in accordance with the provisions of the Kansas Administrative Procedure Act. The State Board will review all issues. Notice of review with the specific date and time will be provided to the parties within 15 days of the review.

You may submit to the State Board for its consideration as part of its review of the Initial Order a written brief citing legal authority as to why the above recommendation should not be accepted. You must file the brief with the State Board Secretary at the address indicated below within ten calendar days after service of the Initial Order for transmittal to the State Board. You must also make any request for oral argument at that time.

Peggy Hill  
Secretary, Kansas State Board of Education  
900 SW Jackson Street, Suite 600  
Topeka, KS 66612

Response briefs are due within ten calendar days after service of the legal brief upon the opposing party. Any reply brief is due five calendar days after service of any response brief upon the opposing party. Any response or reply briefs must also be filed with the State Board Secretary at the address indicated above.

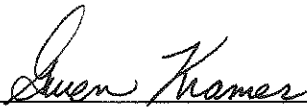
**CERTIFICATE OF SERVICE**

I hereby certify that on this 29<sup>th</sup> day of June, 2018, a true and correct copy of the above and foregoing was filed with the Secretary for the Kansas State Board of Education and one (1) copy was mailed by certified mail, return receipt requested, to:

Joseph Tokarz  
1774 Rock Creek Road  
Ottawa, KS 66067

And via interoffice mail to:

R. Scott Gordon  
Kansas State Department of Education  
900 SW Jackson Street, Suite 102  
Topeka, Kansas 66612



---

Gwen Kramer  
Secretary, Professional Practices Commission