

STATE OF SOUTH DAKOTA)
 SS
COUNTY OF HUGHES)

SOUTH DAKOTA PROFESSIONAL
TEACHERS PRACTICES AND
STANDARDS COMMISSION

KATHRYN BLAHA, Director,
Accreditation and Certification,
S.D. Dept. of Education,

Complainant,

vs.

JORDAN BAKKEN,

Respondent.

PTPSC 2025-04

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND ORDER

This matter came on for hearing pursuant to the provisions of SDCL § 13-43-29 before the South Dakota Professional Teachers Practices and Standards Commission. A public hearing was held on June 30, 2025, in the Library Commons, MacKay Building, 800 Governors Drive, Pierre, South Dakota.

The following members of the South Dakota Professional Teachers Practices and Standards Commission ("Commission") were present at the hearing: Chairperson Joy Robbins, Nichole Bowman, Caitlyn Graf, and Christine Saltsman. Kendra Mulder-Mews counsel for the Commission and Hailey Spaid, Executive Secretary of the Commission, were also present. The Complainant, Kathryn Blaha, was personally present with her counsel of record, Amanda LaCroix and Brayden Beaner. The Respondent, Jordan Bakken, failed to appear for the hearing despite proper notice.

Based upon the evidence presented at the hearing and the documents contained in the official file, the Commission makes the following Findings of Fact:

FINDINGS OF FACT

1. Respondent, Jordan Bakken ("Bakken"), is the holder of a valid South Dakota Teacher's Certificate Number 81340. He was issued this certificate on August 4, 2023, and it is set to expire on July 1, 2028.
2. On or about March 11, 2025, Kathryn Blaha, Director of Accreditation and Certification, South Dakota Department of Education, filed a complaint against Bakken.
3. The Complaint alleged that Bakken violated the following section(s) of the Code of Professional Ethics for Teachers:

EXHIBIT

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- a. ARSD 24:08:03:01 (4) which provides that in fulfilling their obligation to students educators shall act as follows: make a reasonable effort to maintain discipline and order in the classroom and the school system to protect the students from conditions harmful to learning, physical and emotion well-being, health, and safety.
 - b. ARSD 24:08:03:01(5) which provides that in fulfilling their obligation to students educators shall act as follows: conduct professional business in such a way that they do not expose the students to unnecessary intimidation, embarrassment, or disparagement.
 - c. ARSD 24:08:03:01(7) which provides that in fulfilling their obligation to students educators shall act as follows: maintain professional relationships with students without exploitation of a student for personal gain or advantage.
 - d. ARSD 24:08:03:01 (9) which provides that in fulfilling their obligation to students educators shall act as follows: maintain professional relationships with students in a manner which is free of vindictiveness, recrimination, and harassment.
 - e. ARSD 24:08:03:01 (10) which provides that in fulfilling their obligation to students educators shall act as follows: not engage in or be a party to any sexual activity with students including sexual intercourse, sexual contact, sexual photography, or illicit sexual communication.
 - f. ARSD 24:08:03:02 (7) which provides that in fulfilling their obligations to the public educators shall act as follows: engage in no acts that result in a conviction.
 - g. ARSD 24:08:03:02 (8) which provides that in fulfilling their obligations to the public educators shall act as follows: exemplify high moral standards by not engaging in or becoming a party to such activities as fraud, embezzlement, deceit, moral turpitude, gross immorality, illegal drugs or use of misleading or false statements.
 - h. ARSD 24:08:03:03 (13) which provides that in fulfilling their obligation to the profession educators shall act as follows: perform duties in accordance with local, state, and federal rules and laws.
4. The Complaint was served on Bakken on or about March 14, 2025.
 5. Bakken did not provide a Response.
 6. A due and proper Notice of Hearing was served on the parties setting a hearing for June 30, 2025.

7. A public hearing was held on this matter on June 30, 2025.
8. Bakken failed to appear for the Hearing and as a result of his absence the June 30, 2025, hearing was a default hearing.
9. On or about January 23, 2024, the Watertown Police Department and the South Dakota Department of Criminal Investigations investigated Bakken after parents disclosed that a teacher was having an inappropriate relationship with their fifteen-year-old daughter.
10. Bakken was the victims debate and soccer coach. He was also a teacher at Watertown High School where he taught the victim.
11. Bakken and the victim had sent text messages to each other which included illicit nude photos.
12. Upon the victim's parents discovering these message's Bakken picked up the victim from her parents' house in the middle of the night.
13. The victim's parents made contact with Bakken and the victim. The victim told her parents she was safe and somewhere in South Dakota. She went on to tell them that she was with Bakken, and he had a gun.
14. The victim's parents were able to make a deal with Bakken that they would meet at a Dairy Queen, and the victim would get in the car with them. They remained on the phone while they drove. During that call Bakken threatened to kill himself multiple times and the victim was talking him down.
15. At one point, Bakken stopped responding and would not answer any calls. That is when the victim's parents called 911. Bakken sent a pin with his location to the victim's parents. They were able to get him back on the phone and remained on the phone with him until law enforcement arrived.
16. Bakken had an encounter with the victim on a debate team trip where they made out and fell asleep together.
17. Bakken, while a teacher at the Watertown High School and on a school sanctioned trip, engaged in illicit sexual conduct with, the victim on two consecutive nights in January of 2024.
18. Following the investigation, Bakken was arrested on three separate counts the first being Rape in the Fourth Degree, a class 3 felony; the second being Solicitation of a Minor, a class 4 felony; and the third being Sexual Contact with a Child Under Eighteen – Position of Authority, a class 6 felony.
19. On November 12, 2024, Bakken pled guilty to rape in the fourth decree, victim older than thirteen but less than sixteen.

20. Bakken was sentenced to fifteen years with five years suspended and a credit for days served.
21. Bakken subjected a student to conditions harmful to learning, physical and emotional well-being, health and safety.
22. Bakken exposed a student to unnecessary intimidation and embarrassment.
23. Bakken exploited a student for personal gain.
24. Bakken engaged in sexual contact with his student.
25. Bakken's actions resulted in a criminal conviction.
26. The evidence presented to the Commission and all reasonable inferences therefrom demonstrate that Bakken violated ARSD 24:08:03:01 (5), (7), (9), and (10); ARSD 24:08:03:02 (7) and (8), and ARSD 24:08:03:03(13).
27. Any finding of fact improperly denoted as a conclusion of law is hereby incorporated as a finding of fact.

Based upon the foregoing Findings of Fact, the Commission hereby issues the following Conclusions of Law:

CONCLUSIONS OF LAW

28. The Commission has jurisdiction over this matter pursuant to SDCL §§ 13-43-28, 13-43-28.1, SDCL Ch. 1-26, and the Administrative Rules of South Dakota, Chapters 24:08:03 and 24:08:04:01.
29. The burden of proof in this matter as a contested case hearing is clear and convincing. In Re: Setliff, 2002 SD 58, 245 N.W.2d 601, 605.
30. The South Dakota Code of Professional Ethics for Teachers provides at ARSD 24:08:03:01, that in fulfilling their obligations to students, educators shall act as follows:
 - (4) make a reasonable effort to maintain discipline and order in the classroom and the school system to protect the students from conditions harmful to learning, physical and emotional well-being, health, and safety.
 - (5) conduct professional business in such a way that they do not expose the students to unnecessary intimidation, embarrassment, or disparagement.
 - (7) maintain professional relationships with students without exploitation of a student for personal gain or advantage.

- (9) maintain professional relationships with students in a manner which is free of vindictiveness, recrimination, and harassment.
 - (10) not engage in or be a party to any sexual activity with students including sexual intercourse, sexual contact, sexual photography, or illicit sexual communication.
31. Clear and convincing evidence exists that Bakken violated ARSD 24:08:03:01(4).
32. Clear and convincing evidence exists that Bakken violated ARSD 24:08:03:01 (5).
33. Clear and convincing evidence exists that Bakken violated ARSD 24:08:03:01(7).
34. Clear and convincing evidence exists that Bakken violated ARSD 24:08:03:01(9).
35. Clear and convincing evidence exists that Bakken violated ARSD 24:09:03:01(10).
36. The South Dakota Code of Professional Ethics for Teachers provides at ARSD 24:08:03:02, that in fulfilling their obligations to the public educators shall act as follows:
- (7) Engage in no acts that result in a conviction.
 - (8) which provides that in fulfilling their obligations to the public educators shall act as follows: exemplify high moral standards by not engaging in or becoming a party to such activities as fraud, embezzlement, deceit, moral turpitude, gross immorality, illegal drugs or use of misleading or false statements.
37. Clear and convincing evidence exists that Bakken violated ARSD 24:08:03:02(7).
38. Clear and convincing evidence exists that Bakken violated ARSD 24:08:03:02 (13).
39. The South Dakota Code of Professional Ethics for Teachers provides at ARSD 24:08:03:03 that in fulfilling their obligations to the profession, educator shall
- (13) Perform duties in accordance with local, state, and federal rules and laws.
40. Clear and convincing evidence exists that Bakken violated ARSD 24:08:03:03(13).
41. Any conclusions of law improperly denoted as a finding of fact is hereby incorporated as a conclusion of law.

Based upon the foregoing Findings of Fact and Conclusions of Law, the Commission hereby issues the following Order:

ORDER

ORDERED that this matter be referred to the Secretary of the South Dakota Department of Education for proceedings to revoke the teaching certificate of Jordan Bakken as provided for in SDCL § 13-43-28.1. It is further:

ORDERED that a copy of the Findings of Fact, Conclusions of Law, and Order be provided to the Secretary of the South Dakota Department of Education for placement on the National Association of the State Directors of Teacher Education and Certification (NASDTEC) clearinghouse and that it remains with the Department's permanent certification file. It is further:

ORDERED that a copy of the Findings of Fact, Conclusions of Law, and Order be sent to the parties herein. It is further:

ORDERED that the Department may release the Findings of Fact, Conclusions of Law and Order to the certificate office of any state in which the respondent holds or applies for a certificate.

Dated this 10th day of October 2025.

PROFESSIONAL TEACHER PRACTICES
AND STANDARDS COMMISSION

By: _____

Joy Robbins, Chair