

**BEFORE THE KANSAS STATE BOARD OF EDUCATION**

In the Matter of  
the Application of  
Kirstan DeVore

22-PPC-24

**FINAL ORDER**

NOW, on this 10th day of January 2023, the above-captioned matter comes for consideration by the Kansas State Board of Education (Board). Appearing for the Board are Chairwoman, Melanie Haas, and members, Dennis Hershberger, Michelle Dombrosky, Cathy Hopkins, Deena Horst, Jim McNiece, Ann Mah, Jim Porter and Danny Zeck.

WHEREUPON the Professional Practices Commission (Commission) considered the matter on November 18, 2022. Kirstan DeVore did not appear. The Kansas State Department of Education appeared through its attorney, Scott Gordon. After reviewing the evidence, the Commission voted **8 – 0**, to recommend the Board deny the application of Kirstan DeVore's initial teaching license.

WHEREUPON the Board reviewed the Commission's Initial Order and after considering the presentation by Jennifer Holt, 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 **9 – 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 Kirstan DeVore's application for an initial teaching license is denied.

This Final Order is made and entered this 10th day of January 2023.

Kansas State Board of Education



BY: Melanie Haas, Chairwoman  
Signed January 11, 2023

**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.

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

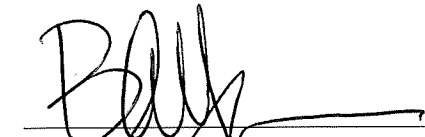
**CERTIFICATE OF SERVICE**

I hereby certify that on this 11 day of January 2023, a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to:

Kirsten Elizabeth DeVore  
3503 E. 28<sup>th</sup> St.  
Kansas City, MO 64128

And via interoffice mail to:

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

  
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Barbara Hughes, Secretary  
Kansas State Board of Education

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

In the Matter of  
the Application of  
Kirstan DeVore

22-PPC-24

**INITIAL ORDER**

The above-captioned case comes on for hearing before the Professional Practices Commissioner (Commission) of the Kansas State Board of Education (State Board) upon the Complaint filed by the Kansas State Department of Education seeking denial of Kirstan DeVore's [Applicant] application for an Initial Teaching license.

The hearing on this matter was held on November 18, 2022. Appearing for the Commission were chairperson, Jennifer Holt, and members, Aaron Edwards, Eric Filippi, Darrin San Romani, Ricardo Sanchez, Caroline Spaulding, Jamie Wetig and Christy Ziegler. The KSDE appeared by and through its attorney, R. Scott Gordon. Applicant did not appear.

**FINDINGS OF FACT**

1. On October 6, 2022, the Kansas State Department of Education filed a formal Complaint requesting the denial of Applicant's application for an initial teaching license. The Complaint was mailed to Applicant's last known address by standard and by certified mail.
2. Applicant did not respond to the Complaint. She filed no answer and did not request a hearing.
3. The Complaint alleges that on or about the 17<sup>th</sup> day of November, 2019, the Applicant unlawfully, feloniously, and knowingly possessed with intent to distribute 122 grams of marijuana and 89 1-gram packages of THX wax without a proper tax stamp, both of which were felony offenses.
4. After being charged with those felony crimes involving drugs, Applicant entered into a criminal diversion agreement.

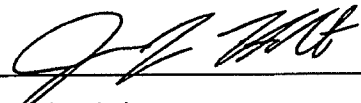
**CONCLUSIONS OF LAW**

1. The Kansas State Board of Education (State Board) is responsible for the general supervision of Kansas education, including the certification and licensure of teachers. Kan. Const., Art. VI and K.S.A. 72-255.
2. One of the obvious goals of education is to “instill respect for the law.” Hainline v. Bond, 250 Kan. 217 (1992). An educator is a role model. Hainline at 224.
3. Teaching and school administration are professions with all the similar rights, responsibilities and privileges accorded other legally recognized professions. K.S.A. 72-2308.
4. Applicant did not deny any allegations of the Complaint, nor did she provide any evidence of remorse, rehabilitation, or recognition of the wrongfulness of her actions.
5. The State Board may deny a license for misconduct or other just cause such as entering into a diversion agreement after having been charged with any crime punishable as a felony as well as any crime involving drug-related conduct. K.A.R. 91-22-1a.
6. If a party fails to participate in the adjudicative process, the party may be found to have conceded to the outcome requested by the filed complaint.

THEREFORE the Professional Practices Commission, by vote of 8-0, recommends the Kansas State Board of Education deny the application of an initial teaching license based on her underlying misconduct of committing felony offenses involving drugs, for entering into a diversion agreement after having been charged with any crime punishable as a felony as well as any crime involving drug-related conduct, and for failure to participate in the administrative proceedings.

This Initial Order is made and entered this December, 2022.

PROFESSIONAL PRACTICES COMMISSION

  
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Jennifer Holt, Chairperson

Order signed on December 21, 2022.

### 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.

Barbara Hughes  
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 21st day of December, 2022, 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:

Kirstan DeVore  
3503 E. 28<sup>th</sup> St.  
Kansas City, Missouri 64128

And via interoffice mail to:

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

And I further certify that I caused a copy of the foregoing to be served electronically to:  
[kirstandevore@gmail.com](mailto:kirstandevore@gmail.com)



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Cheryl Austin  
Legal Assistant