

BEFORE THE KANSAS STATE BOARD OF EDUCATION

In the Matter of
the License
of Martin Segovia

17-PPC-39

FINAL ORDER

NOW, on this 10th day of July 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 April 23, 2018. Martin Segovia appeared not. The Kansas State Department of Education appeared through its attorney, Kelli Broers. After reviewing the evidence, the Commission voted **5 – 0**, to recommend the Board revoke Martin Segovia’s license.

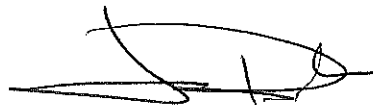
WHEREUPON the Board reviewed the Commission’s Initial Order and after considering the presentation by Linda Sieck, Commission Chair, who was available to answer the Board’s questions and being otherwise duly advised in the premises, the Board adopted the Commission’s findings of fact and conclusions 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 Martin Segovia’s voluntary surrender of his license is accepted and his teaching license is revoked immediately.

This Final Order is made and entered this 10th day of July 2018.

Kansas State Board of Education



BY: Jim Porter, Chairman
Signed July 11th, 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 12th day of July 2018, a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to:

Martin Segovia
3139 Java Chip
El Paso, Texas 79938

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 Martin Segovia

17-PPC-39

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 Complaint filed by the Kansas State Department of Education seeking revocation of Mr. Segovia's professional license.

The hearing on this matter convened on April 23rd, 2018. Kelli Broers appeared as counsel for KSDE. Mr. Segovia did not appear.

FINDINGS OF FACT

1. Martin Segovia currently holds a Kansas professional teaching license.
2. On or about June 15, 2017, Segovia entered a plea of no contest and was found guilty of misdemeanor criminal deprivation of property.
3. Segovia was sentenced to thirty days unsupervised probation and was ordered to pay \$10,930 in restitution to USD 457, Garden City, Kansas.
4. On April 17, 2018 Mr. Segovia voluntarily surrendering his license by way of a signed, notarized document.

CONCLUSIONS OF LAW

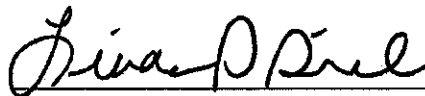
1. The Kansas State Board of Education (State Board) is responsible for the general supervision of education, including the certification and licensure of Kansas teachers. Kan. Const., Art. VI and K.S.A. 72-7513.

2. The State Board may revoke a license for misconduct or other just cause. K.A.R. 91-22-1a(a).
3. Additionally, the State Board may revoke a teaching license if an individual has been convicted of any misdemeanor involving theft. K.A.R. 91-22-1a(a)(3).
4. The State Board may be cancel, *i.e.*, revoke, a teaching license on the grounds of immorality. K.S.A. 72-1383; Hainline v. Bond, 250 Kan. 217 (1992). One of the obvious goals of education is to “instill respect for the law.” An educator is a role model. Hainline at 224.
5. In Kansas, teaching and school administration are professions with all the similar rights, responsibilities, and privileges accorded other legally recognized professions. K.S.A. 72-8501.
6. Segovia’s conduct is inconsistent with the commonly held perceptions and expectations of a member of the teaching profession. To wit: he was found guilty after having deprived his employer, a Kansas school district, of \$10,930. Such conduct violates the public trust and confidence placed in the profession and demonstrates a lack of fitness to perform the duties and responsibilities of a member of the teaching and school administration professions. Such conduct is sufficient and just cause to revoke Segovia’s license.

THEREFORE the Professional Practices Commission recommends to the State Board by a vote of 5 – 0 that Martin Segovia’s license and any attached endorsements be revoked due to his criminal conviction, his underlying professional misconduct, and his voluntary surrender.

This Initial Order is made and entered this April 23rd, 2018.

PROFESSIONAL PRACTICES COMMISSION



Linda Sieck, Chairperson

Order signed on June 21, 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.

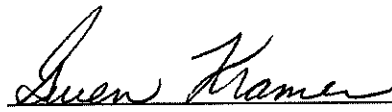
CERTIFICATE OF SERVICE

I hereby certify that on this 22nd 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:

Martin Segovia
3139 Java Chip
El Paso, TX 79938

And via interoffice mail to:

R. Scott Gordon
General Counsel, KSDE
900 SW Jackson Street, Ste. 102
Topeka, Kansas 66612



Gwen Kramer
Secretary, Professional Practices Commission