

BEFORE THE KANSAS STATE BOARD OF EDUCATION

In the Matter of
the License of
Kim Zier

22-PPC-21

FINAL ORDER

NOW, on this 9th day of May 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, Betty Arnold, 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 March 3, 2023. Kim Zier did not appear. The Kansas State Department of Education appeared through its attorney, R. Scott Gordon. After reviewing the evidence, the Commission voted **9 – 0**, to recommend Kim Zier's voluntary surrender of his professional license should be accepted and his license revoked.

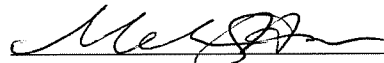
WHEREUPON the Board reviewed the Commission's Initial Order. The Board adopted the Commission's findings of fact and conclusions of law by a vote of **10 – 0**.

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 Kim Zier's voluntary surrender of his license is accepted and his professional teaching license is revoked.

This Final Order is made and entered this 9th day of May 2023.

Kansas State Board of Education



BY: Melanie Haas, Chairwoman

Signed May 10, 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

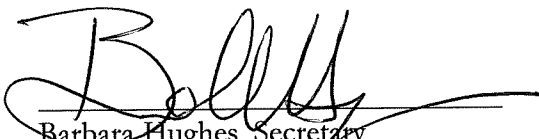
CERTIFICATE OF SERVICE

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

Thomas G. Lemon
Cavanaugh, Biggs & Lemon, P.A.
3200 SW Huntoon
Topeka, Kansas 66604

And via interoffice mail to:

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


Barbara Hughes, Secretary
Kansas State Board of Education

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

In the Matter of
the License of
Kim Zier

22-PPC-21

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 (KSDE) seeking revocation of Kim Zier's (Licensee) Professional Teaching license.

The hearing on this matter was held on March 3, 2023. Appearing for the Commission were chairperson, Jennifer Holt, and members, Aaron Edwards, Leigh Anne Rogers, Ricardo Sanchez, and Christy Ziegler. The KSDE appeared by and through its attorney, R. Scott Gordon. Licensee did not appear.

FINDINGS OF FACT

1. On February 23, 2023, KSDE filed a formal Complaint requesting revocation of Licensee's professional teaching license.
2. The Complaint alleges that on April 13, 2020, Licensee was charged in Johnson County District Court with one count of Aggravated Indecent Liberties as defined in K.S.A. 21-5506(b)(3) and K.S.A. 21-6806. The alleged victim of the crime was a student.
3. On August 5, 2022, the then-pending criminal charge was amended pursuant to a plea agreement to misdemeanor battery. As a condition of Licensee's sentence to probation, Licensee was ordered to undergo a sex offender evaluation and successfully comply with any recommendations thereof. The Licensee was also required to surrender his teaching certificate for life.
4. On August 11, 2022, KSDE received a letter signed by Licensee requesting the State Board accept surrender of his teaching certificate for life.
5. On February 21st, 2023, KSDE filed a Complaint seeking the revocation of Licensee's license based on K.A.R. 91-22-1a and K.S.A. 72-1397, and asked the State Board to accept Licensee's surrender.

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. Licensee did not deny any allegations of the Complaint, nor did he provide any evidence of remorse, rehabilitation, or recognition of the wrongfulness of his actions.
5. The State Board may deny a license for misconduct or other just cause including crimes involving a minor. K.A.R. 91-22-1a(2).
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 5-0, recommends the Kansas State Board of Education accept Licensee’s voluntary surrender of his license and revoke his teaching license.

This Initial Order is made and entered this **March 22** , 2023.

PROFESSIONAL PRACTICES COMMISSION



Jennifer Holt, Chairperson

Order signed on **March 22** , 2023.

FROM THE DESK OF



August 5, 2022

Kansas State Board of Education
Attn: Scott Gordon, General Counsel
900 SW Jackson St., Ste. 201
Topeka, KS 66612

Dear Mr. Gordon:

I am writing to surrender my teaching certificate.

Please accept this surrender of my teaching certificate. I surrender my teaching certificate for life. I will not see renewal or reapplication for my teaching certificate in the future.

