

**BEFORE THE KANSAS STATE BOARD OF EDUCATION**

In the Matter of  
the License of  
Crystal Smith

19-PPC-35

**FINAL ORDER**

NOW, on this 12th day of May 2020, the above-captioned matter comes for consideration by the Kansas State Board of Education (Board). Appearing for the Board are Chairman, Kathy Busch, and members, Jean Clifford, Michelle Dombrosky, Deena Horst, Ben Jones, Jim McNiece, Ann Mah, Jim Porter, Steve Roberts, and Janet Waugh.

WHEREUPON the Professional Practices Commission (Commission) considered the matter on January 24, 2020. Crystal Smith did not appear. The Kansas State Department of Education appeared by and through Kirstin Harden, legal intern, supervised by General Counsel, R. Scott Gordon. After reviewing the evidence, the Commission voted **6 – 0**, to recommend the Board revoke Crystal Smith's professional teaching license.

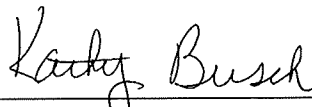
WHEREUPON the Board reviewed the Commission's Initial Order and after considering the presentation by Linda Sieck, Commission Chair, who was available to answer the Board's questions and being otherwise duly advised in the premises, the Board adopted the Commission's findings of fact and conclusions 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 Crystal Smith's professional teaching license is revoked.

This Final Order is made and entered this 12th day of May 2020.

Kansas State Board of Education



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BY: Kathy Busch, Chairwoman  
Signed May **19**, 2020

**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 20<sup>th</sup> day of May 2020, a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to:

Crystal Smith  
4400 North Main St.  
Kansas City, MO 64116

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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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  
Crystal Smith

19-PPC-35

**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”)

The hearing on this matter was held on January 24, 2020. Appearing for the Commission were chairperson, Linda Sieck, and members, Aaron Edwards, Jennifer Holt, Sylvia Ramirez, Stan Ruff, and Caroline Spaulding. The KSDE appeared by and through Kirstin Harden, Legal Intern, supervised by General Counsel, R. Scott Gordon. Crystal Smith did not appear.

**FINDINGS OF FACT**

1. On September 19th, 2019, the Kansas State Department of Education filed a formal Complaint requesting the revocation of Crystal Smith’s professional license. The Complaint was mailed by certified mail to Ms. Smith’s last known address on September 23rd, 2019.
2. The envelope was returned to KSDE and marked as unclaimed.
3. Ms. Smith did not respond to the Complaint. She filed no answer and did not request a hearing.
4. The Complaint alleges that in or about January or February 2019, Ms. Smith forcibly grabbed a child’s arm and pulled the child out of the bottom of a bookcase. While the child was lying on the ground, Ms. Smith intentionally kicked the child in the back.

**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. Ms. Smith 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 Kansas State Board of Education may revoke the license of any teacher for professional misconduct or other just cause including the commission of any act that injures the health or welfare of a minor through physical abuse. K.A.R. 91-22-1a(a)(7).
6. A party may be served by mailing a notice to the person's last known address. K.A.R. 77-531.

THEREFORE the Professional Practices Commission recommends to the State Board, by a vote of 6-0, that Crystal Smith's license be revoked immediately, based of her professional misconduct, being physical abuse towards a minor, and failure to participate in the administrative hearing.

This Initial Order is made and entered this April 21, 2020.

PROFESSIONAL PRACTICES COMMISSION



Linda Sieck, Chairman

Order signed on April 21, 2020.

## NOTICE TO APPLICANT

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 23rd day of April, 2020, a true and correct copy of the above and foregoing was filed with the Secretary for the Kansas State Board of Education, one (1) copy was mailed by certified mail, return receipt requested; and one (1) copy was mailed by first-class prepaid postage mail, to:

Crystal Smith  
4400 North Main St.  
Kansas City, MO 64116

And via interoffice mail to:

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

*Candi Brown*

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Candi Brown  
Secretary, Professional Practices Commission