

**BEFORE THE KANSAS STATE BOARD OF EDUCATION**

In the Matter of  
the License of  
Lara F. Gossage

PPC No. 21-PPC-01

**FINAL ORDER**

NOW, on this 9<sup>th</sup> day of November 2021, 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, Betty Arnold (remotely), Jean Clifford, Michelle Dombrosky, Melanie Haas, Deena Horst, Ben Jones, Jim McNiece, Ann Mah and Janet Waugh.

WHEREUPON the Professional Practices Commission (Commission) considered the matter on March 31, 2021. Lara Gossage appeared in person and with legal counsel Kimberly Streit Vogelsberg. The Kansas State Department of Education appeared through its attorney, R. Scott Gordon. After reviewing the evidence upon deliberation, the Commission voted 6–0 to recommend Lara Gossage’s license be suspended until June 30, 2022.

WHEREUPON the Board reviewed the Commission’s Initial Order and having the opportunity to ask questions of Jennifer Holt, Commission Chair, who was available to answer the Board’s questions, and upon receipt of the Kansas State Department of Education’s Request to Not Follow the Recommendation of the Professional Practices Commission (PPC) as well as response by counsel for Ms. Gossage.

WHEREUPON, the State Board had the opportunity to consider and review all of the following information, documentation, evidence, testimony and argument: (a) the Complaint; (b) the Answer; (c) the Exhibits presented by both parties to the PPC; (d) the YouTube recording of the hearing before the PPC, which included the testimony of Licensee; (e) the recording of the arrest which was available to the PPC, subject to the Protective Order; (f) the Pleadings submitted by the Parties; (g) Oral Argument by legal counsel for both parties; (h) follow up questions by the Board of each attorney; and (i) deliberations of the entire Board prior to rendering a decision.

WHEREUPON, the State Board makes the following Findings of Fact and Conclusions of Law:

**Findings of Fact**

1. As of the date of the Complaint filed in this matter, Gossage held a professional teaching license, having been licensed since September 24, 1998.
2. On or about July 24, 2017, Gossage was arrested and charged with Driving Under the Influence of Alcohol or Drugs in the Municipal Court of the City of Wichita, Kansas, case number 17C050271. Gossage entered into a diversion which was granted on January 8, 2018.
3. On or about December 26, 2018, Gossage was arrested and charged with Driving Under the Influence of Alcohol or Drugs in the Municipal Court of the City of Wichita, Kansas, case number 18C083622.

4. On or about January 2, 2019, a motion was filed to revoke the diversion in 17C050271. On February 25, 2019, the motion was granted, and Gossage's diversion was terminated.
5. On February 23, 2019, Gossage received a citation for a third Driving Under the Influence of Alcohol or Drugs charge. Gossage was charged with felony Driving Under the Influence of Alcohol or Drugs in Sedgwick County District Court, case number 19CR3154.
6. On August 8, 2019, Gossage was convicted for the offenses of driving under the influence of alcohol in the Municipal Court of the City of Wichita, Kansas, cases 17C050271 and 18C083622.
7. Gossage pled guilty to and was convicted of felony driving under the influence of alcohol, in violation of K.S.A. 8-1567(a)(2)(b)(I)(D), in Sedgwick County District Court, case number 19CR3154, on December 10, 2020.
8. Gossage was sentenced in Sedgwick County District Court, case number 19CR3154, on January 27, 2021. Gossage was sentenced to twelve months in jail but was allowed to serve forty-eight (48) consecutive hours followed by 2,160 hours of house arrest, subject to attending therapy and work.
9. Gossage testified during the hearing of the Commission that she started attending alcoholics anonymous meetings on February 24, 2019, and had attended 659 meetings as of the date of the hearing.
10. Gossage testified she had not consumed alcohol since February 23, 2019.
11. Gossage was court ordered to wear a SCRAM 1 bracelet while on house arrest. Gossage obtained a second SCRAM bracelet to detect alcohol consumption on February 25, 2019.
12. At the time of the hearing of the Commission, Gossage has an interlock device on her vehicle. The device was installed on or about June 7, 2019.
13. Gossage testified that teaching was more than just a job for her and she felt that she could be a better teacher due to these incidents because she has more compassion, empathy and humility.
14. Gossage acknowledged her child was with her in the vehicle when she was arrested for driving under the influence of alcohol on February 23, 2019. Gossage testified the child had been at a party, which she believed was going to be a sleepover, and called asking her for a ride. Gossage testified she was not in the frame of mind to make a good choice and that she believes no one should drive with a child in the car after they have been drinking.
15. Following the PPC issuing the Initial Order and recommendations to the State Board, the Kansas State Department of Education filed a Petition for Review of the PPC Initial Order. The Licensee/Respondent filed an Answer and brief in support of her position.
16. The Board granted the request for Oral Argument and reviewed the briefing of the parties and the record before the PPC. Oral argument from counsel was presented to the Board on November 9, 2021. KSDE was represented by legal counsel, R. Scott Gordon.

Licensee/Respondent appeared in person and through legal counsel, Kimberly Streit Vogelsberg. Following oral argument, the Board asked follow-up questions of legal counsel.

17. Later in the day, the Board recessed their meeting for the purpose of quasi-judicial deliberations of the case. The Board carefully considered the facts and circumstances of the specific case of the Respondent/Licensee.

### **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 teachers, in Kansas. Kan. Const., Art. VI and K.S.A. 2017 Supp. 72-255.

2. K.A.R. 91-22-1a(a) provides, in pertinent part, that "[a]ny license issued by the state board may be suspended or revoked, or the license holder may be publicly censured by the state board for misconduct or other just cause" including: "(1) Conviction of any crime punishable as a felony."

3. Gossage was charged with and convicted of driving under the influence of alcohol in violation of K.S.A. 8-1567(a)(2)(b)(l)(D) and that such conviction for the third DUI is a felony offense. Gossage acknowledged the wrongfulness of what she had done and provided extensive testimony of the steps she has taken since February 23, 2019, to treat her disease and to avoid similar conduct in the future.

4. K.A.R. 91-22-1a(g) sets forth what must be satisfied for a teacher that has had their license denied or revoked based on a violation of the provisions in subsection (a) of the same regulation to apply for a new license.

5. Although not required in this matter, the Commission felt it was appropriate to consider the factors set forth in K.A.R. 91-22-1a(g)(l) in determining if Gossage should have her teaching license suspended or revoked or if there was sufficient evidence that she had been rehabilitated.

6. In considering the factors in relation to the facts in this matter, the Commission felt that Gossage demonstrated fitness to retain her license to teach. The State Board disagrees that sufficient evidence of rehabilitation was presented to justify the discipline recommended by the PPC. The PPC recommended a 1-year suspension of her teaching license as opposed to the revocation which was requested by KSDE.

7. Among the many factors the Commission identified and considered, included that Gossage expressed remorse and recognition of the wrongfulness of her actions. The Commission felt that she was forthcoming and truthful in her testimony.

8. The State Board has no reason to believe Gossage was not truthful in her testimony. However, the State Board also had the opportunity to review the testimony of Gossage and felt that she was not as forthcoming as she should have been with her current employer or could have been if she was going to get strong character references and letters of support from her employer. The Board also felt that there was not sufficient time which had elapsed or evidence to be convincing that she had been sufficiently rehabilitated. Further, her lack of unequivocal recognition and understanding that teachers are held to a higher standard was extremely troubling and contributed

significantly to the conclusion that Licensee/Respondent was not ready to return to the classroom as a licensed professional.

9. The PPC did express concern with the fact that Gossage may have not been completely open with the school district or her supervisor(s). There was testimony regarding who Gossage had told about her situation; however, the PPC was unable to determine with any certainty whether Gossage's new supervisor or the superintendent of the school district are aware or fully aware of the circumstances surrounding Gossage's teaching license. The State Board shares this concern and believes that lack of assurance from Gossage during her hearing to be evidence of a lack of disclosure to her employer.

10. A suspension was ultimately not considered to be sufficient discipline by the Board because the conviction and sentencing was less than a year prior and there was not adequate time to confirm sustained sobriety and establish rehabilitation. Down the road, after more time has passed between the felony event and licensure, her rehabilitation could be validated. At this time, however, her fitness to return to the classroom as a licensed teacher was not supported by substantial competent evidence.

11. Gossage testified before the Commission that she wears a SCRAM bracelet for detecting any alcohol usage, in addition to the bracelet she was court ordered to wear as part of her house arrest. The State Board is concerned that such a device would still need to be worn by someone in a position of public trust.

12. The PPC expressed concern as to what might happen once the SCRAM bracelet(s) were removed and if Gossage might relapse. The PPC acknowledged that not enough time had gone by to make sure Gossage would not have a relapse. For this reason, the PPC was not sure whether Gossage would be a suitable role model for students. The State Board shares this same concern. The State Board finds that because state law requires an applicant for a new or a renewed license to show at least five years' worth of rehabilitation following the conviction for a felony offense, a minimum of five years' worth of rehabilitation should be required from any licensed teacher wishing to maintain their license.

13. Character references and testimony to support the licensee which is subject to discipline is important because it provides independent corroboration of what the Licensee/Respondent says; in this case, that would be to substantiated sobriety, rehabilitation and fitness to meet the demands and expectations of the profession. Letters of reference are most persuasive when they provide recent and informed endorsement of the person and relate to the ability to meet the professional demands of a licensed teacher.

14. Although the PPC recommends a suspension of Gossage's license until June 30, 2022, the State Board finds the discipline of suspension to be insufficient in light of the totality of concerns described herein.

15. The Licensee has been given notice and an opportunity to be heard on the Complaint and the conduct alleged.

16. The State Board does not believe the recommended discipline of suspension is sufficient under the circumstances.

17. The State Board appreciates the hard work of the PPC and appreciates their input and service to the teaching profession and the Board. Yet, the State Board makes its decisions in the best interest of Kansas students and their families; Therefore, rather than deferring to the PPC in this case, it finds that it needs to impose a stronger discipline and depart from the recommendation of the PPC. The events warrant more severe discipline and Gossage should be removed from the classroom.

18. There is substantial competent evidence to support the conclusion that a revocation is justified in this case.

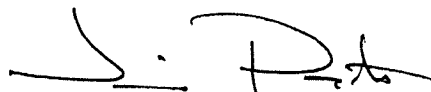
19. The Board reaches its determination and decision based upon the facts and circumstances of the particular situation involving the Licensee.

20. Following deliberations by the Board, the Board approved the following Motion with a 10-0 vote: "It is moved that the Kansas State Board of Education revoke the license in case 21-PPC-01."

IT IS THEREFORE CONCLUDED by the Kansas State Board of Education that Lara F. Gossage's license is hereby revoked.

This Final Order is made and entered this 9th day of November 2021.

Kansas State Board of Education

A handwritten signature in black ink, appearing to read "J. Porter", with a horizontal line underneath.

BY: Jim Porter, Chairman  
Signed November 12, 2021

### NOTICE TO LICENSEE

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 12<sup>th</sup> day of November 2021, a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to:

Kimberly Streit Vogelsberg  
Counsel for Respondent  
[Kimberly.Vogelsberg@knea.org](mailto:Kimberly.Vogelsberg@knea.org)

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 DEPARTMENT OF EDUCATION  
PROFESIONAL PRACTICES COMMISSION

In the Matter of  
the License of  
**Lara F. Gossage**

Case No. 21-PPC-01

OAH No. 21ED0007 ED

**INITIAL ORDER**

**Decision**

Having heard the testimony of the witnesses, considered the evidence presented, reviewed the applicable statutes, regulations and policies, and otherwise being duly and fully informed in the premises of this matter, the Professional Practices Commission (Commission) of the Kansas State Department of Education (KSDE) on a vote of 6 to 0 recommends to the Kansas State Board of Education that the Complaint filed by KSDE seeking to revoke the teaching license of Lara F. Gossage (Gossage) be denied and that in the alternative Gossage's license be suspended through June 30, 2022.

**Statement of Case**

This matter comes on for hearing before the Commission upon the Complaint filed by the KSDE on March 31, 2021 seeking revocation of Gossage's teaching license.

The hearing was held on June 18, 2021. Appearing for the Commission were Chairperson, Jennifer Holt, and members Eric Filippi, Aaron Edwards, Stan Ruff, Caroline Spaulding, and Kimberly Gilman.

Gossage appeared in person and with counsel Kimberly Streit Vogelsberg, Kansas National Education Association.

KSDE appeared by and through its attorney, General Counsel, R. Scott Gordon.

**Evidentiary Rulings**

A Prehearing Order was issued on June 14, 2021 in response to Gossage's objection to exhibit(s) offered by KSDE. Said Prehearing Order is incorporated herein by reference. Other than Gossage's renewed objections, no additional objections were made by the parties and the order admitting exhibits stands, subject to any redactions ordered.

Exhibit I consisted of videos taken by law enforcement during the traffic stop that occurred on February 23, 2019. When the videos in Exhibit I were played the public portion of the hearing was paused due to the private nature of some of the information potentially contained in the videos.

## Findings of Fact

1. As of the date of the Complaint filed in this matter, Conover held a professional teaching license, having been licensed since September 24, 1998.
2. On or about July 24, 2017 Gossage was arrested and charged with Driving Under the Influence of Alcohol or Drugs in the Municipal Court of the City of Wichita, Kansas, case number 17C050271. (Exhibit C) Gossage entered into a diversion which was granted on January 8, 2018.
3. On or about December 26, 2018 Gossage was arrested and charged with Driving Under the Influence of Alcohol or Drugs in the Municipal Court of the City of Wichita, Kansas, case number 18C083622. (Exhibit F)
4. On or about January 2, 2019 a motion was filed to revoke the diversion in 17C050271. On February 25, 2019 the motion was granted and Gossage's diversion was terminated. (Exhibit D)
5. On February 23, 2019 Gossage received a citation for a third (3<sup>rd</sup>) Driving Under the Influence of Alcohol or Drugs charge. Gossage was charged with felony Driving Under the Influence of Alcohol or Drugs in Sedgwick County District Court, case number 19CR3154. (Exhibit G)
6. On August 8, 2019 Gossage was convicted for the offenses of driving under the influence of alcohol in the Municipal Court of the City of Wichita, Kansas, cases 17C050271 and 18C083622. (Exhibits 2 and E)
7. Gossage pled guilty to and was convicted of felony driving under the influence of alcohol, in violation of K.S.A. 8-1567(a)(2)(b)(1)(D), in Sedgwick County District Court, case number 19CR3154, on December 10, 2020. (Exhibit A)
8. Gossage was sentenced in Sedgwick County District Court, case number 19CR3154, on January 27, 2021. (Exhibit A) Gossage was sentenced to twelve months in jail but was allowed to serve forty-eight (48) consecutive hours followed by 2,160 hours of house arrest, subject to attending therapy and work.
9. Gossage testified she started attending alcoholics anonymous meetings on February 24, 2019 and had attended 659 meetings as of the date of the hearing. (Exhibit 7)
10. Gossage testified she had not consumed alcohol since February 23, 2019.
11. Gossage was court ordered to wear a SCRAM<sup>1</sup> bracelet while on house arrest. Gossage obtained a second SCRAM bracelet to detect alcohol consumption on February 25, 2019. (Exhibit 5)

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<sup>1</sup> Secure Continuous Remote Alcohol Monitor.



12. Gossage has an interlock device on her vehicle. The device was installed on or about June 7, 2019. (Exhibit 6)

13. Gossage testified that teaching was more than just a job for her and she felt that she could be a better teacher due to these incidents because she has more compassion, empathy and humility.

14. Gossage acknowledged her child was with her in the vehicle when she was arrested for driving under the influence of alcohol on February 23, 2019. Gossage testified the child had been at a party, which she believed was going to be a sleepover, and called asking her for a ride. Gossage testified she was not in the frame of mind to make a good choice and that she believes no one should drive a child after they have been drinking.

### 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 teachers, in Kansas. Kan. Const., Art. VI and K.S.A. 2017 Supp. 72-255.

2. K.A.R. 91-22-1a(a) provides, in pertinent part, that “[a]ny license issued by the state board **may** be suspended or revoked, or the license holder may be publicly censured by the state board for misconduct or other just cause” including: “(1) Conviction of any crime punishable as a felony.”

3. Gossage acknowledged she was charged with and convicted of driving under the influence of alcohol in violation of K.S.A. 8-1567(a)(2)(b)(1)(D) and that such conviction was for a felony offense. Gossage acknowledged the wrongfulness of what she had done and provided extensive testimony of the steps she has taken since February 23, 2019 to treat her disease and to avoid similar conduct in the future. Gossage explained the circumstances that led to her citation and the conviction and took responsibility for her actions, including taking responsibility for having her child in the car at the time of the criminal violation.

4. K.A.R. 91-22-1a(g) sets forth what must be satisfied for a teacher that has had their license denied or revoked based on a violation of the provisions in subsection (a) of the same regulation to apply for a new license

5. Although not required in this matter, the Commission felt it was appropriate to consider the factors set forth in K.A.R. 91-22-1a(g)(1) in determining if Gossage should have her teaching license suspended or revoked or if there was sufficient evidence that she had been rehabilitated.

6. The Commission, in determining whether to recommend to the Board that an individual’s application should be granted, is required to determine the extent of the applicant’s efforts at rehabilitation as well as the fitness of the applicant to be a member of the teaching profession. *Wright v. State Bd. of Educ.*, 268 P.3d 1231 (Kan.App. 2012). The Commission has utilized these same principles in determining if a teacher’s license should be revoked.

7. In considering the factors in relation to the facts in this matter, the Commission felt that Gossage demonstrated fitness to retain her license to teach.

8. Among other factors the Commission identified that Gossage expressed remorse and recognition of the wrongfulness of her actions. The Commission also felt that she was forthcoming and truthful in her testimony.

9. The PPC did express concern with the fact that Gossage may have not been completely open with the school district or her supervisor(s). There was testimony regarding who Gossage had told about her situation; however, the PPC was unable to determine with any certainty whether Gossage's new supervisor or the superintendent of the school district are aware or fully aware of the circumstances surrounding Gossage's teaching license.

10. Gossage testified to the treatment and rehabilitation she had undergone, including having attended 659 alcoholic anonymous meetings since her arrest on February 23, 2019. Gossage wears a SCRAM bracelet for detecting any alcohol usage, in addition to the bracelet she was court ordered to wear as part of her house arrest.

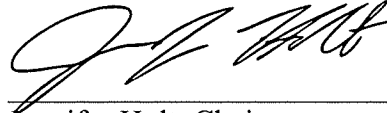
11. The PPC expressed concern as to what might happen once the SCRAM bracelet(s) were removed and if Gossage might relapse. The PPC acknowledged that not enough time had gone by to make sure Gossage would not have a relapse. For this reason, the PPC was not sure whether Gossage would be a suitable role model for students. At the same time, the PPC was not concerned that Gossage's previous conduct would resurface in the context of school. It was also noted by the PPC that Gossage had taught school after her first two (2) convictions, until January of 2021, and did so while wearing an ankle bracelet GPS location monitoring device.

12. Gossage testified she has a new social network, having changed her friend group, allowing her to avoid being in a similar position in the future. The Commission felt that Gossage remained suitable to be placed in a position of trust and may be a suitable role model for students.

13. While the Commission disagreed with the KSDE recommendation that Gossage's license be revoked, the Commission did conclude that some discipline was warranted and should be imposed.

14. On a vote of six (6) in favor and zero (0) opposed, the Commission recommends to the Kansas State Board of Education that the Complaint filed by KSDE seeking to revoke the teaching license of Gossage be denied and that in the alternative Gossage's license be subject to suspension for a definite period of time to conclude on June 30, 2022. The Commission figured Gossage would remain on house arrest for approximately 160 more hours and then would have one (1) year to demonstrate her ability to maintain her sobriety before being allowed back in the classroom.

**IT IS SO ORDERED.**



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Jennifer Holt, Chairperson  
Professional Practices Commission

**NOTICE**

This Initial Order of the Professional Practices Commission 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.

You may submit to the Kansas State Board of Education for its consideration as a 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.

Marisa Seele  
Secretary, Kansas State Board of Education  
900 SW Jackson Street,  
Topeka, Kansas 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 on 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**

On September 10, 2021, I certify that a copy of the foregoing was placed in the United States first class mail, postage prepaid, addressed to:

Lara F. Gossage  
3209 S. Gordon Avenue  
Wichita, KS 67217

and, I further certify that I caused a copy of the foregoing to be served electronically through OAH's e-filing system to:

Kimberly Streit Vogelsberg  
Kansas NEA Staff Attorney  
Kansas National Education Association  
715 SW 10th Ave.  
Topeka, KS 66612-1686

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