

**BEFORE THE KANSAS STATE BOARD OF EDUCATION**

In the Matter of  
the Application of  
Patrick Amaro

15-PPC-15

**FINAL ORDER**

NOW, on this 15<sup>th</sup> day of July, 2015, the above-captioned matter comes for consideration by the Kansas State Board of Education (Board) upon the Application for a Kansas teaching license submitted by Patrick Amaro. Appearing for the Board are Chariman, Jim McNiece, and members, John Bacon, Kathy Busch, Carolyn Wims-Campbell, Sally Cauble, Deena Horst, Jim Porter, Steve Roberts, Janet Waugh and Ken Willard.

WHEREUPON, a complaint was filed by the Kansas State Department of Education and Mr. Amaro had the opportunity to respond to the complaint. Mr. Amaro did not respond to the complaint. The complaint and supporting evidence were reviewed by the Professional Practices Commission (Commission).

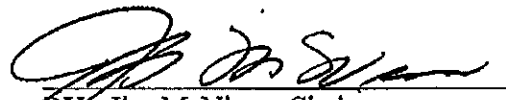
WHEREUPON the Board reviewed the Commission's Initial Order and after considering the presentation by Jessica Snider, member of the Commission, who was available to answer the Board's questions and being otherwise duly advised in the premises, the Board adopted the Commission's findings of fact and conclusions of law by a vote of 7 - 3.

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 Patrick Amaro's application for a Kansas Teaching License is denied.

This Final Order is made and entered this 15<sup>th</sup> day of July, 2015.

Kansas State Board of Education

  
BY: Jim McNiece, Chairman  
Signed July 23, 2015

**NOTICE TO APPLICANT**

You may request a reconsideration of the above Order. To do so, you must file a Petition for Reconsideration with the Secretary to the State Board of Education, at the address stated below, within 15 days after service of this Final Order. The Petition must state the specific grounds upon which relief is requested.

The filing of a Petition for Reconsideration is not a prerequisite for seeking judicial review.

Peggy Hill  
Secretary, KSBE  
Landon State Office Building  
900 SW Jackson Ave. Suite 600N  
Topeka, Kansas 66612

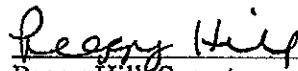
**CERTIFICATE OF SERVICE**

I hereby certify that on this 24<sup>th</sup> day of July, 2015, a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to:

Patrick Amaro  
P.O. Box 81  
Ford, Kansas 67842

And via interoffice mail to:

Kelli M. Broers  
Attorney, Kansas State Department of Education  
Landon State Office Building  
900 SW Jackson Ave., Suite 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 Application of  
Patrick Amaro

15-PPC-15

**INITIAL ORDER**

The above-captioned case comes on for hearing before the Professional Practices Commission (Commission) of the Kansas State Department of Education (KSDE) upon the application of Patrick Amaro for a Kansas teaching license.

The hearing on this matter convened on June 15, 2015. Appearing for the Commission were chairperson, Callin Kendall, and members, Dorsey Burgess, Tavis Desormiers, Kimberly Groom, Bradley Nicks, Linda Sleek, and Jessica Snider. Kelli Broers appeared as counsel for KSDE. Patrick Amaro did not appear.

**FINDINGS OF FACT**

1. Patrick Amaro [Applicant], submitted an application to the Kansas State Board of Education (State Board) requesting he be issued a 2013-2014 emergency substitute teaching license.
2. In August 1984, Applicant pled guilty to misdemeanor Sexual Battery in violation of K.S.A. 21-3517. His conviction was based upon sexual conduct with a child under the age of 16. Applicant was 22 years old at the time of the misconduct.
3. Applicant was granted two years supervised probation. No contact with females under the age of consent was a condition of his probation. It is unknown whether Applicant successfully completed probation.
4. Applicant did not disclose on his application that he had been convicted of a crime involving a child.
5. KSDE filed a Complaint pursuant to K.A.R. 91-22-5a on March 12, 2015. That Complaint was placed in the mail on March 16, 2015, by certified mail, return receipt requested, to the last known address of Mr. Amaro. Mr. Amaro signed for the Complaint.
6. Mr. Amaro did not request a hearing, nor did he file an answer to KSDE's complaint.

**CONCLUSIONS**

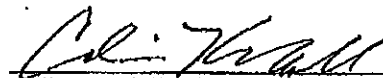
1. Pursuant to K.S.A. 72-8501, the Legislature has declared teaching and school administration to be professions in Kansas with all the similar rights, responsibilities and privileges accorded other legally recognized professions. An educator is in a position of public trust.
2. It is within the authority of the State Board to adopt rules and regulations providing for the issuance, renewal, reinstatement and revocation of a license to teach.

3. Pursuant to K.A.R. 91-22-1a, the State Board may deny a teacher's license/certificate to any person for misconduct or other just cause such as committing any crime involving a child.
4. The State Board has the authority pursuant to K.A.R. 91-22-1a(b) to deny a teaching license for misconduct or other just cause. The State Board may also deny a license to a person who misrepresents or fails to disclose material facts on the application.
5. By order of the State Board, the Professional Practices Commission shall investigate and conduct hearings pertaining to allegations of misconduct.
6. If no answer to a Complaint is filed within 20 days, Applicant is deemed to have admitted the allegations contained in the Complaint and acquiesced in the proposed action. K.A.R. 91-22-9.
7. Applicant's conduct is inconsistent with the commonly-held perceptions and expectations of a member of the teaching profession. Such conduct violates the public trust and confidence placed in members of the profession.
8. Applicant's conduct demonstrates a lack of fitness to perform the duties and responsibilities of a member of the teaching and school administration professions and is sufficient and just cause for denying Applicant's application.
9. Applicant's Sexual Battery conviction, where the victim was a child, is grounds for denial of his application pursuant to K.A.R. 91-22-1a.

THEREFORE the Professional Practices Commission concludes, by a vote of 7 - 0, subject to the State Board's review, that Mr. Amaro's application for a teaching license should be denied.

This Initial Order is made and entered this June 15, 2015.

PROFESSIONAL PRACTICES COMMISSION



Callin Kendall, Chairman

Order signed on June 16, 2015.

**NOTICE TO APPLICANT**

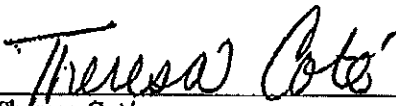
This Order of the Professional Practices Commission is not a Final Order and is required to be reviewed by the State Board in accordance with the provisions of the Kansas Administrative Procedure Act.

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. The legal brief must be filed with the Secretary of the Professional Practices Commission at the address indicated above within ten days after service of the Initial Order for transmittal to the State Board.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 22<sup>nd</sup> day of June, 2015, 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:

Patrick Amaro  
P.O. Box 81  
Ford, Kansas 67842

  
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Theresa Cote  
Secretary, Professional Practices Commission