

BEFORE THE KANSAS STATE BOARD OF EDUCATION

In the Matter of
the License
of Michael Jasiczek

18-PPC-07

FINAL ORDER

NOW, on this 8th day of May 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, Janet Waugh, and Ken Willard.

WHEREUPON the Professional Practices Commission (Commission) considered the matter on April 13, 2018. Michael Jasiczek 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 Michael Jasiczek’s voluntary surrender of his license be accepted and his teaching license and any associated endorsements be revoked immediately.

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 **9 – 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 Michael Jasiczek’s voluntary surrender of his license is accepted and his teaching license and any associated endorsements be revoked immediately.

This Final Order is made and entered this 8th day of May 2018.

Kansas State Board of Education



BY: Jim Porter, Chairman
Signed May 9th, 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

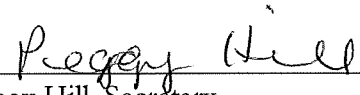
I hereby certify that on this 10th day of May 2018, a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to:

Micheal Jasiczek
16313 South Brentwood Street
Olathe, Kansas 66062

Christopher Brown
Gyllenborg & Brown
111 South Kansas Avenue
Olathe, Kansas 66061

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
Michael Jasiczek

18-PPC-07

INITIAL ORDER

The above-captioned case comes before the Professional Practices Commission (Commission) of the Kansas State Department of Education (KSDE) upon Michael Jasiczek's submission of a voluntary surrender of his teaching license for revocation.

The Commission reviewed this matter on April 13, 2018. Appearing for the Commission were Chairman Linda Sieck and members Vici Jennings, Nathan Reed, Maret Schrader, and Jessica Snider. Kelli Broers appeared as counsel for KSDE. Jasiczek did not appear.

FINDINGS OF FACT

1. Jasiczek holds a Kansas teaching license.
2. Jasiczek voluntarily surrendered¹ his teaching license for revocation as a consequence of his misconduct and convictions for felony unlawful sexual relations in violation of K.S.A. 21-5512 (Teacher engaged in consensual sexual activity with a student age 16 or older).

CONCLUSIONS OF LAW

1. A member of the teaching or school administration profession may voluntarily surrender his license to the Commission. The Commission shall investigate the surrender and make a recommendation to the Kansas State Board of Education (State Board) for disposition of the license. K.A.R. 91-22-5a(e).

¹ The voluntary surrender is attached hereto.

2. Under these circumstances, notice of the possible revocation of Jasiczek's license and the opportunity for him to have a hearing are not required to revoke his license. See K.A.R. 91-22-1a(h) (Before a license is revoked for any act described in K.A.R. 91-22-1a(a), the person shall be given notice and an opportunity for a hearing).

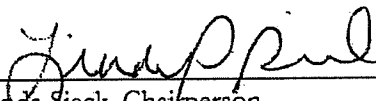
3. Conviction of a felony is grounds for revocation of a Kansas teaching license. K.A.R. 91-22-1a(a)(1); See K.S.A. 72-2155; Hainline v. Bond, 250 Kan. 217, 224 (1992).

4. Engaging in sexual activity with a student is grounds for revocation of a Kansas teaching license. K.A.R. 91-22-1a(a)(8).

THEREFORE the Professional Practices Commission recommends to the State Board by a vote of 5 – 0 that Michael Jasiczek's voluntary surrender of his license be accepted and his teaching license and any associated endorsements be revoked immediately.

This Initial Order is made and entered this April 13, 2018.

PROFESSIONAL PRACTICES COMMISSION



Linda Sieck, Chairperson
Order signed on April 19, 2018.

NOTICE

This Order is not a final order. The Kansas State Board of Education must review the order 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, 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 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 20th day of April 2018, I filed a true and correct copy of the above and foregoing with the Secretary for the Kansas State Board of Education and I mailed one copy by certified mail, return receipt requested, to:

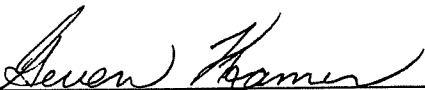
Michael Jasiczek
16313 South Brentwood Street
Olathe, Kansas 66062

And via regular U.S. Mail to:

Christopher Brown
Gyllenborg & Brown
111 South Kansas Avenue
Olathe, Kansas 66061

and via interoffice mail to:

Kelli Broers
Kansas State Department of Education
900 SW Jackson Street, Suite 102
Topeka, Kansas 66612



Gwen Kramer
Secretary, Professional Practices Commission

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

In the Matter of
the License
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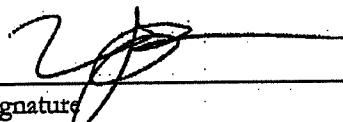
18-PPC-07

VOLUNTARY SURRENDER

I, Michael Jasiczek, hereby acknowledge that in the District Court of Johnson County, Kansas, Case No. 17 CR 1708, I pleaded guilty to and was convicted of two counts of felony unlawful sexual relations in violation of K.S.A. 21-5512.

I now voluntarily surrender my professional teaching license (No. 7489779669) to the Kansas State Board of Education (State Board) for revocation as a consequence of both my misconduct and my convictions in Case No. 17 CR 1708 described above. I understand the Professional Practices Commission (Commission) and the State Board will review all relevant information in this case. I waive any right to a hearing I may have had in this matter. I waive any objection to or contestation of findings made by the Commission or the State Board related to this surrender.

I acknowledge and understand that notice of my license revocation will be provided to all Kansas local education agencies and to the agency responsible for issuing educator licenses/certificates in each of the other states.



Signature

MICHAEL JASICZEK

(Printed or typed name)

16313 S. BREWSTER

(Street address)

OXFORD, KS 66002

(City) (Zip)

VERIFICATION

STATE OF Kansas
COUNTY OF Johnson

ss:

BE IT REMEMBERED that on this 5th day of March, 2018,
before me, the undersigned, a notary public in and for the county and state aforesaid, came
Michael Jasiczek, who is personally known to me to be the same person who executed the within
instrument and such person duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have set my hand and affixed my official seal the day and year
last above written.

Kelsey Fishbaugh
Notary Public

My appointment expires:

September 4, 2019

