

**BEFORE THE KANSAS STATE BOARD OF EDUCATION**

In the Matter of  
the Professional License  
of Katie Rufener

16-PPC-11

**FINAL ORDER**

NOW, on this 12<sup>th</sup> day of July, 2016, the above-captioned matter comes for consideration by the Kansas State Board of Education (Board). Appearing for the Board are Chairman, Jim McNiece, and members, John Bacon, Kathy Busch, Sally Cauble, Deena Horst, Jim Porter, Steve Roberts, Janet Waugh, and Ken Willard, and Carolyn Wims-Campbell.


WHEREUPON, a complaint was filed by the Kansas State Department of Education and Ms. Katie Rufener had the opportunity to respond to the complaint. She did not respond nor did she request a hearing. The complaint and supporting evidence were considered by the Professional Practices Commission (Commission), after which, it voted 7 – 0 to recommend to the Board that Ms. Rufener’s license be revoked.

WHEREUPON the Board reviewed the Commission’s Initial Order and after considering the presentation by Linda Sieck, Commission Chairman, who was available to answer the Board’s questions and being otherwise duly advised in the premises, the Board adopted the Commission’s findings and recommendation to revoke Ms. Rufener’s license, by a 10 – 0 vote. 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 Katie Rufener’s license is revoked.

This Final Order is made and entered this 12<sup>th</sup> day of July, 2016.

Kansas State Board of Education

  
BY: Jim McNiece, Chairman  
Signed July 13, 2016

**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

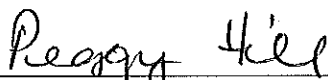
**CERTIFICATE OF SERVICE**

I hereby certify that on this 15<sup>th</sup> day of July, 2016, 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:

Katie Rufener  
47823 Lincoln Street  
East Liverpool, Ohio 43920

And via interoffice mail to:

Kelli Broers  
Assistant General Counsel  
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 Professional License  
of Katie Rufener

16-PPC-11

**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 complaint seeking revocation of Katie Rufener's professional teaching license.

This matter convened on June 1, 2016. Appearing for the Commission were chairman, Linda Sieck, and members, Dorsey Burgess, Justin Henry, John McKinney, Bradley Nicks, Ginger Riddle, and Jessica Snider.

Kelli Broers appeared as counsel for KSDE.

Katie Rufener appeared not.

**FINDINGS OF FACT**

1. Currently Katie Rufener holds a Kansas professional teaching license and she has been licensed in Kansas since 2012.
2. On March 10, 2016, the Finney County, Kansas, County Attorney's office filed a Second Amended Complaint/Information in Case No. 2015-CR-000520FE, in the District Court of Finney County, Kansas. Therein, Ms. Rufener was charged with three counts of misdemeanor battery in violation of K.S.A. 2013 Supp. 21-5413(a)(2). The underlying conduct which led to Ms. Rufener's charges and convictions was her engaging in sexual activity with a student.
3. The victim was a student, though not a minor.
4. Ms. Rufener pleaded guilty and was convicted of the three counts of misdemeanor battery.

5. KSDE filed a Complaint pursuant to K.A.R. 91-22-5a on May 2, 2016. That Complaint was placed in the mail, by certified mail, return receipt requested, to the last known address of Ms. Rufener. Ms. Rufener signed for the Complaint.

6. Ms. Rufener did not request a hearing, nor did she file an answer to KSDE's complaint.

#### CONCLUSIONS

1. Under Kansas law, teaching and school administration are considered to be professions 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 revocation of a license to teach.

3. By order of the State Board, the Professional Practices Commission shall investigate and conduct hearings pertaining to allegations of misconduct.

4. The State Board may revoke a license for misconduct or other just cause. K.A.R. 91-22-1a. The Commission finds that Ms. Rufener's conviction of misdemeanor battery, where the victim was her student, is grounds for revocation of her teaching license. These grounds alone are sufficient to warrant the revocation of her license.

5. Additionally, the State Board may also revoke a license for engaging in any sexual activity with a student. K.A.R. 91-22-1a. The Commission finds that Ms. Rufener's misconduct is also grounds supporting the revocation of her license.

6. Ms. Rufener'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. Furthermore, Ms. Rufener's conduct

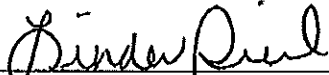
demonstrates a lack of fitness to perform the duties and responsibilities of a member of the teaching and school administration professions.

7. Mr. Rufener's misconduct and convictions are grounds for revocation of her license pursuant to K.A.R. 91-22-1a.

IT IS THEREFORE RECOMMENDED by the Professional Practices Commission to the Kansas State Board of Education, by a vote of 7 - 0, that Ms. Rufener's professional teaching license should be revoked.

This Initial Order is made and entered this June 1, 2016.

PROFESSIONAL PRACTICES COMMISSION

  
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Linda Sieck, Chairman  
Order signed on June 24, 2016.

**NOTICE TO LICENSEE**

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.

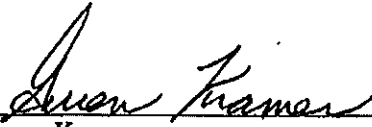
**CERTIFICATE OF SERVICE**

I hereby certify that on this 24~~th~~ day of June, 2016, 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:

Katie Rufener  
47823 Lincoln Street  
East Liverpool, Ohio 43920

And via interoffice mail to:

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

  
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Gwen Kramer  
Secretary, Professional Practices Commission