

BEFORE THE KANSAS STATE BOARD OF EDUCATION

In the Matter of
the License of
Nancy Andrade-Juarez

19-PPC-46

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. Nancy Andrade-Juarez 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 Nancy Andrade-Juarez's professional teaching license.

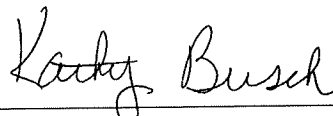
WHEREUPON the Board reviewed the Commission's Initial Order and after considering the presentation by Linda Sieck, Commission Chair, who was available to answer the Board's questions and being otherwise duly advised in the premises, the Board adopted the Commission's findings of fact and conclusions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

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

Kansas State Board of Education



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

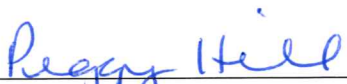
CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of May 2020, a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to:

Nancy Andrade-Juarez
2135 N Western, Apt 7D
Liberal, KS 67901

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
Nancy Andrade-Juarez

19-PPC-46

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. Nancy Andrade-Juarez did not appear.

FINDINGS OF FACT

1. On November 20th, 2019, the Kansas State Department of Education filed a formal Complaint requesting the revocation of Nancy Andrade-Juarez’s professional license. The Complaint was mailed by certified mail to Ms. Andrade-Juarez’s last known address on November 22nd, 2019.
2. On December 14, 2019, the envelope was returned to sender and marked as unclaimed.
3. Ms. Andrade-Juarez did not respond to the Complaint. She filed no answer and did not request a hearing.
4. The Complaint alleges that on July 15, 2019, Ms. Andrade-Juarez entered into a diversion agreement after being charged with Aggravated Battery, a Severity G05 Person Felony; Interference with Law Enforcement Officer, a Severity G07 Person Felony; and Criminal damage to property, a Severity G09, Non-Person Felony.

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. Andrade-Juarez 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 entering into a criminal diversion agreement after being charged of a crime involving a felony. K.A.R. 91-22-1a.
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 Nancy Andrade-Juarez license be revoked immediately, based on her criminal misconduct, entering into a diversion agreement for three felony charges, 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:

Nancy Andrade-Juarez
2135 N Western, Apt 7D
Liberal, KS 67901

And via interoffice mail to:

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

Candi Brown

Candi Brown
Secretary, Professional Practices Commission