

BEFORE THE KANSAS STATE BOARD OF EDUCATION

In the Matter of
the Application of
Lori Lindeman

18-PPC-44
OAH No. 19ED0021 ED

FINAL ORDER

NOW, on this 14th day of July 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, 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 October 7, 2019. Lori Lindeman did not appear. The Kansas State Department of Education appeared through its attorney, Scott Gordon. After reviewing the evidence, the Commission voted **5 – 0**, to recommend the Board revoke Lori Lindeman's professional teaching license.

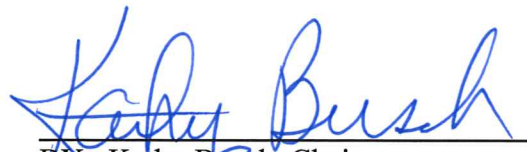
WHEREUPON the Board reviewed the Commission's Initial Order and after considering the presentation by Scott Gordon, who was available to answer the Board's questions and being otherwise duly advised in the premises, the Board adopted the Commission's findings of fact and conclusions of law by a vote 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 Lori Lindeman's professional teaching license be revoked.

This Final Order is made and entered this 14th day of July 2020.

Kansas State Board of Education


BY: Kathy Busch, Chairwoman
Signed July 15, 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 16th day of July 2020, a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to:

Lori Lindeman
PO Box 956
Cimmaron, KS 67835

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
Lori Lindeman

18-PPC-44
OAH No. 19ED0021 ED

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 seeking revocation of Lori Lindeman's Professional Teaching license.

The hearing on this matter was held on October 7, 2019. Appearing for the Commission were chairperson, Linda Sieck, and members, Eric Filippi, Jennifer Holt, Stan Ruff, Aaron Edwards and Nathan Reed. Loren Snell, Administrative Law Judge (ALLJ) with the Office of Administrative Hearings (OAH) appeared and served as the hearing officer. The KSDE appeared by and through its attorney, General Counsel, R. Scott Gordon. Lori Lindeman did not appear.

FINDINGS OF FACT

1. Lori Lindeman holds a professional teaching license issued by the Kansas State Board of Education. She has been licensed since 1983.
2. On July 5, 2018, Ms. Lindeman was charged with Possession of Methamphetamine as described in K.S.A. 21-5706(a), a Severity Level 5 Drug Felony, and Possession of Drug Paraphernalia as described in K.S.A. 21-5709(b)(2), a Class B nonperson misdemeanor.
3. On August 31, 2018, Ms. Lindeman entered into a Diversion Agreement with the Gray County Attorney's Office whereby she agreed to comply with certain terms of her diversion to avoid criminal prosecution. Within that diversion agreement, Ms. Lindeman admitted to having possessed illegal drugs and paraphernalia. Ms. Lindeman is currently on diversion until September 4, 2020.

4. The Kansas State Department of Education mailed a copy of the Complaint via certified mail to Ms. Lindeman's last known address. It was returned unclaimed on January 15, 2019.

5. The matter was scheduled for a hearing on this matter on March 1, 2019. Appearing for the Commission were chairperson, Linda Sieck, and members, William Anderson, Eric Filippi, Jennifer Holt, Nathan Reed, and Sylvia Ramirez. The KSDE appeared by and through its attorney, General Counsel, R. Scott Gordon. Lori Lindeman did not appear. The Commission, by vote of 5-0, with one abstention, recommended that the Kansas State Board of Education revoke the professional teaching license of Lori Lindeman.

6. On May 14, 2019 the Commission received a letter dated May 9, 2019 from Lindeman. Lindeman requested that her teaching license not be revoked.

7. The Commission's recommendation to the Kansas State Board of Education was set aside and the matter was set for a new hearing before the Commission.

8. The matter was set for a prehearing conference on August 12, 2019, in which Ms. Lindeman participated. At the prehearing conference the matter was scheduled for an evidentiary hearing and deadlines were set, including deadlines for filing witness and exhibit lists and exchanging proposed exhibits. Ms. Lindeman failed to file a witness and exhibit list and further failed to submit proposed exhibits. Ms. Lindeman also failed to attend this hearing of the Professional Practices Commission.

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. The State Board may revoke a license for misconduct or other just cause including conviction of any crime punishable as a felony, conviction of any misdemeanor involving drug-related

conduct, and entry into a criminal diversion agreement after being charged with any offense or act described in this subsection as provided for in K.A.R. 91 22 1a(a)(1), (a)(4), and (a)(11).

3. 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.

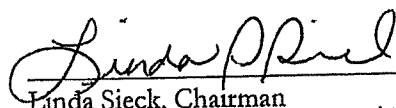
4. Teaching and school administration are professions with all the similar rights, responsibilities and privileges accorded other legally recognized professions. K.S.A. 72-2308.

5. Ms. Lindeman'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. Ms. Lindeman'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 to revoke her license.

THEREFORE, the Professional Practices Commission, by vote of 5-0, with one abstention, recommends the Kansas State Board of Education revoke the professional teaching license of Lori Lindeman based upon her entry into a criminal diversion agreement for possession of methamphetamine and possession of drug paraphernalia, and for failing to comply with orders of the Professional Practices Commission, including failure to attend her own hearing.

This Initial Order is made and entered this December 13, 2019.

PROFESSIONAL PRACTICES COMMISSION



Linda Sieck, Chairman

Order signed on December 13, 2019.

NOTICE TO LICENSEE

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 16th day of December, 2019, 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:

Lori Lindeman
P.O. Box 1210
507 W. Avenue A
Cimmaron, Kansas 67835

And via interoffice mail to:

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



Candi Brown
Secretary, Professional Practices Commission