

BEFORE THE KANSAS STATE BOARD OF EDUCATION

In the Matter of the Application for  
An Emergency Substitute License  
Submitted by Nathan Roth

Case No. 15-PPC-12

**FINAL ORDER**

NOW, on this 9<sup>th</sup> day of June, 2015, the above-captioned matter comes for consideration by the Kansas State Board of Education (Board) upon the Application for an Emergency Substitute License submitted by Nathan Roth. Appearing for the Board are Chairman, Jim McNiece, and members, Kathy Busch, Carolyn Wims-Campbell, Sally Cauble, Deena Horst, Jim Porter, Steve Roberts, and Ken Willard.

WHEREUPON a full evidentiary hearing was held before the Professional Practices Commission (Commission) and such hearing was conducted March 30, 2015. At that hearing Mr. Roth appeared in person. The Kansas State Department of Education (KSDE) appeared by and through its attorney R. Scott Gordon.

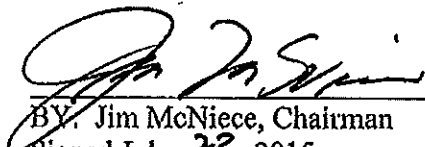
WHEREUPON the Board reviewed the Initial Order of the Commission and after considering the presentation by Calin Kendall, Chairman of the Commission, who was available to answer the Board's questions and being otherwise duly advised in the premises, the Board adopted the Commission's findings of fact and conclusions of law by a vote of 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 Nathan Roth's application for an emergency substitute teaching license shall be denied.

This Final Order is made and entered this 9<sup>th</sup> day of June, 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

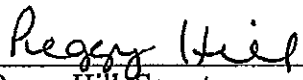
**CERTIFICATE OF SERVICE**

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:

Nathan Roth  
1025 Kearney Street  
Manhattan, Kansas 66502

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

In the Matter of the Application for  
An Emergency Substitute License  
Submitted by Nathan Roth

Case No. 15-PPC-12

INITIAL ORDER

Statement of Case

This matter comes on for hearing before the Professional Practices Commission (Commission) of the Kansas State Department of Education (KSDE) upon the application of Nathan Roth for an Emergency Substitute License.

The hearing was held on March 30, 2015. Appearing for the Commission were chairman, Calin Kendall, and members: Dorsey Burgess, Phil Clark, Tavis Desormiers, Kimberly Groom, Susan Myers, Bradley Nicks, Linda Sieck, and Jessica Snider.

The KSDE appeared by and through its attorney, R. Scott Gordon.

Mr. Roth appeared in person and provided testimony.

After hearing evidence, the Commission continued the hearing to April 27, 2015.

On April 27, 2015, the hearing was again convened. Appearing for the Commission were chairman, Calin Kendall, and members: Dorsey Burgess, Phil Clark, Kimberly Groom, Bradley Nicks, Linda Sieck, and Jessica Sulder.

The KSDE appeared by and through its attorney, R. Scott Gordon.

Mr. Roth did not appear in person and did not provide any additional documentation.

Findings of Fact

1. On December 15, 2014 Nathan Paul Roth applied for an Emergency Substitute License.
2. On March 6, 2014 a complaint was filed in Riley County, Kansas against Nathan Roth for possession of a controlled substance.
3. On May 13, 2014 Mr. Roth was placed on an 18-month diversion.
4. On February 3, 2015 the case against Mr. Roth was dismissed.
5. Mr. Roth did disclose he had entered into a criminal diversion on his application.

### Conclusions

1. The Commission finds the applicant was not a licensed educator at the time of the offense. The applicant was not a member of any legally recognized professional at the time of the offense.
2. The Commission finds that the applicant has not provided evidence of rehabilitation since the time of the offense.
3. The Commission believes the applicant has not clearly demonstrated a present recognition of the wrongfulness of his conduct.
4. The Commission finds the applicant is not suitable to be placed in a position of public trust as a teacher.
5. The Commission finds the applicant failed to comply with its previous orders to provide information of rehabilitation and suitability. Specifically, the Commission finds it troubling that Mr. Roth would come to his first hearing unprepared to speak to his suitability to teach. The Commission mailed a letter to Mr. Roth two weeks prior to his second hearing reminding him of the type of documentation they expected to see – specifically Mr. Roth was instructed to bring a current drug and alcohol evaluation as well as letters of recommendation when he returned for the April 27<sup>th</sup> hearing. Not only did Mr. Roth fail to provide any of that requested documentation, he failed to even show up to the hearing.
6. The Commission finds, by a vote of 7-0, to deny Mr. Russell's request for an Emergency Substitute License.

IT IS THEREFORE RECOMMENDED by the Professional Practices Commission, subject to review by the State Board of Education, that Nathan Roth's application for an Emergency Substitute License be denied.

This Initial Order is made and entered this 30<sup>th</sup> day of April, 2015.

  
Calin Kendall, Chairman  
Professional Practices Commission

**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 of Education in accordance with the provision of the Kansas Administrative Procedure Act.**

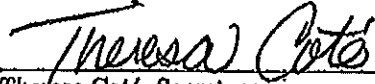
**You may submit to the State Board of Education for its consideration as part of its review of the Initial Order, a written brief citing legal authority as to why the above recommendation should not be accepted. The legal brief must be filed with the Secretary of the Professional Practices Commission at the address indicated below within ten days after service of the Initial Order for transmittal to the State Board.**

CERTIFICATE OF SERVICE

I hereby certify that on this 30<sup>th</sup> day of April, 2015, a true and correct copy of the above and foregoing Initial Order was filed with the Secretary for the Professional Practices Commission and one (1) copy was mailed by U.S. Mail, postage paid, addressed to:

Nathan Roth  
1025 Kearney Street  
Manhattan, KS 66502

R. Scott Gordon, Attorney  
Kansas State Department of Education  
900 S.W. Jackson Street  
Topeka, KS 66612  
(785) 296-3204

  
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Theresa Coté, Secretary  
Professional Practices Commission