

BEFORE THE KANSAS STATE BOARD OF EDUCATION

In the Matter of
the Professional License
of Matthew Hobbs

15-PPC-34

FINAL ORDER

NOW, on this 8th day of September, 2015, the above-captioned matter comes on for consideration by the Kansas State Board of Education (Board) upon the matter of the professional license of Matthew Hobbs. Appearing for the Board are Chairman, Jim McNiece, and members, Kathy Busch, Carolyn Wims-Campbell, Sally Cauble, Deena Horst, Jim Porter, Steve Roberts, Janet Waugh, and Ken Willard.

WHEREUPON, a complaint was filed by the Kansas State Department of Education and Mr. Hobbs had the opportunity to respond to the complaint. Mr. Hobbs did not respond to the complaint. The complaint and supporting evidence were reviewed by the Professional Practices Commission (Commission).

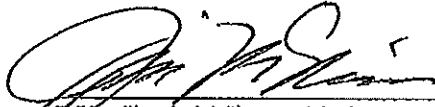
WHEREUPON the Board reviewed the Commission's Initial Order and Mr. Hobb's subsequent submission of a voluntary surrender of his license and after considering the presentation by Linda Sieck, Chairman of the Commission, who was available to answer the Board's questions and being otherwise duly advised 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 Matthew Hobbs's license and any endorsements shall be revoked.

This Final Order is made and entered this 8th day of September, 2015.

Kansas State Board of Education


BY: Jim McNiece, Chairman
Signed September 17, 2015

NOTICE TO LICENSEE

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

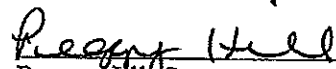
CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of September, 2015, a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to:

Matthew Hobbs
1618 Lantern Lane CT
Andover, Kansas 67002

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


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 Matthew Hobbs

15-PPC-34

INITIAL ORDER

The above-captioned case comes on for hearing before the Professional Practices Commission (Commission) of the Kansas State Department of Education (KSDE) for consideration of Matthew Hobbs's teaching license.

The hearing on this matter convened on August 5, 2015. Appearing for the Commission were chairperson, Linda Sleek, and members, Dorsey Burgess, Tavis Desormiera, Kimberly Groom, Justin Henry, John McCluney, Bradley Nicks, and Jessica Snider. Kelli Broers appeared as counsel for KSDE. Matthew Hobbs did not appear.

FINDINGS OF FACT

1. Matthew Hobbs has been licensed as a Kansas teacher since 2006. His license is scheduled to expire on October 21, 2017.
2. On September 12, 2014, Mr. Hobbs was charged with felony Unlawful Sexual Relations in violation of K.S.A. 21-3520(a)(8) for engaging in consensual lewd fondling or touching while he was a teacher at Andover Middle School and the victim (DOB 6/10/1992) was a student at Andover High School. The conduct occurred between November 1, 2009, and June 20, 2010.
3. On April 24, 2015, an Amended Information was filed and Mr. Hobbs was charged with misdemeanor Sexual Battery in violation of K.S.A. 21-3517. That same day he entered a plea agreement wherein he agreed to plead no contest to the Sexual Battery charge.
4. Ultimately, Mr. Hobbs was sentenced to 12 months in jail, which was stayed as the court granted him probation of 12 months. Mr. Hobbs was required to register as a sex offender.
5. On May 26, 2015, KSDE asked Mr. Hobbs to voluntarily surrender his license by July 1, 2015, and received no response.
6. KSDE filed a Complaint pursuant to K.A.R. 91-22-5a on July 7, 2015. That Complaint was placed in the mail on July 8, 2015, by certified mail, return receipt requested. The Complaint was signed for on July 10, 2015.
7. Mr. Hobbs did not request a hearing, nor did he file an answer to KSDE's Complaint.

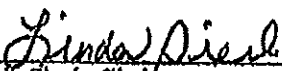
CONCLUSIONS

8. If no answer to a Complaint is filed within 20 days, the Applicant is deemed to have admitted the allegations contained in the Complaint and acquiesced in the proposed action. K.A.R. 91-22-9.
9. Pursuant to K.S.A. 72-8501, the Legislature has declared teaching and school administration to be professions in Kansas with all the similar rights, responsibilities and privileges accorded other legally recognized professions. An educator is in a position of public trust.
10. Any license issued by the State Board may be annulled by the State Board in the manner provided by law, on the grounds of immorality or for any cause that would have justified the withholding thereof when the same was granted. K.S.A. 72-1383.
11. It is within the authority of the State Board to adopt rules and regulations providing for the issuance, renewal, reinstatement and revocation of a license to teach.
12. The State Board cannot knowingly issue or renew a license to someone convicted of Sexual Battery in violation of K.S.A. 21-3517 when the victim is a minor, K.S.A. 72-1397. The State Board may annul any license for any cause that would have justified the withholding thereof when the same was granted. K.S.A. 72-1383.
13. A license may be revoked by the State Board for misconduct or other just cause including any crime involving a minor, commission of any act that injures the health or welfare of a minor through sexual abuse or exploitation, or engaging in any sexual activity with a student. K.A.R. 91-22-1a.
14. Mr. Hobbs's sexual misconduct with a minor student and his subsequent conviction for Sexual Battery and registration as a sex offender are grounds for revoking his application.

THEREFORE the Professional Practices Commission recommends, by a vote of 8 - 0, subject to the State Board's review, that Mr. Hobbs's application should be denied.

This Initial Order is made and entered this August 5, 2015.

PROFESSIONAL PRACTICES COMMISSION


Linda Sleek, Chairperson
Order signed on August 13, 2015.

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 below within ten days after service of the Initial Order for transmittal to the State Board.

Theresa Coté
Secretary, Professional Practices Commission
Kansas State Department of Education
900 SW Jackson St.
Topeka, Kansas 66612-1182

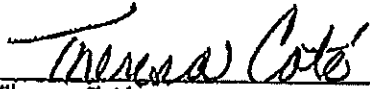
CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of August, 2015, 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:

Matthew Hobbs
1618 Lantern Lane CT
Andover, Kansas 67002

And via interoffice mail to:

Kelli Broers
Assistant General Counsel
900 SW Jackson Street, Ste. 102
Topeka, Kansas 66612



Theresa Coté
Secretary, Professional Practices Commission