

BEFORE THE KANSAS STATE BOARD OF EDUCATION

In the Matter of
the Application of
Nathan Sullivan

22-PPC-04

FINAL ORDER

NOW, on this 13th day of September 2022, the above-captioned matter comes for consideration by the Kansas State Board of Education (Board). Appearing for the Board are Chairman, Jim Porter and members, Betty Arnold, Jean Clifford, Michelle Dombrosky, Melanie Haas, Deena Horst, Ben Jones, Jim McNiece, Ann Mah and Janet Waugh.

WHEREUPON the Professional Practices Commission (Commission) considered the matter on July 20, 2022. Nathan Sullivan appeared by and through attorney Christopher Coleman. The Kansas State Department of Education appeared through its attorney, Scott Gordon. After reviewing the evidence, the Commission voted **6 – 0**, to recommend the Board grant the professional teaching license subject to public censure.

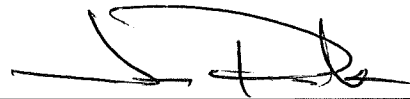
WHEREUPON the Board reviewed the Commission's Initial Order and after considering the presentation by Jennifer Holt, Commission Chair, who was available to answer the Board's questions and being otherwise duly advised in the premises, the Board adopted the Commission's findings of fact and conclusions 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 Nathan Sullivan's application for a professional teaching license is granted subject to public censure.

This Final Order is made and entered this 13th day of September 2022.

Kansas State Board of Education



BY: Jim Porter, Chairman
Signed September 14, 2022

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.

Barbara Hughes
Secretary, Kansas State Board of Education
Landon State Office Building
900 SW Jackson Ave. Suite 600N
Topeka, Kansas 66612

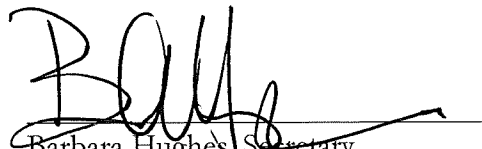
CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of September 2022, a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to:

Nathan Sullivan
c/o Christopher Coleman
Staff Attorney
KNEA Legal Services
715 SW 10th Ave
Topeka, Kansas 66612

And via interoffice mail to:

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


Barbara Hughes, Secretary
Kansas State Board of Education

BEFORE THE KANSAS STATE BOARD OF EDUCATION
PROFESSIONAL PRACTICES COMMISSION

In the Matter of
the Application of
Nathan Sullivan

22-PPC-04

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 Nathan Sullivan's [Applicant] application for a professional teaching license.

The hearing on this matter was held on July 20, 2022. The Kansas State Department of Education appeared by and through its attorney, General Counsel, R. Scott Gordon. Nathan Sullivan appeared by and through attorney Christopher Coleman.

FINDINGS OF FACT

1. Applicant applied for renewal of his professional teaching license. Because his license expired prior to submitting his current application, he is not currently licensed and hasn't been since May, 2019. Applicant was licensed from 2004 to 2019.
2. On October 18, 2018, Applicant was placed on diversion for 12 months for misdemeanor possession of marijuana and drug paraphernalia.
3. Applicant successfully completed diversion on October 17, 2019.
4. Applicant was 37 years old at the time of the offense.
5. Applicant testified that he was driving home from a camping trip with family members when he was stopped by law enforcement for a traffic violation. Applicant further testified that law enforcement saw his marijuana, grinder, and small glass pipe in his vehicle and arrested him for the same.
6. Applicant testified that he occasionally smoked marijuana prior to his arrest, approximately once a month. Applicant testified that although he stopped smoking as much, he admitted to last smoking marijuana in January, 2022.

CONCLUSIONS OF LAW


1. Applicant was a licensed educator and employed in a position of public trust at the time of his offense.

2. The Commission finds the Applicant was truthful and forthcoming in disclosing his conviction on his application for licensure.
3. The Commission believes the Applicant has clearly demonstrated a present recognition of the wrongfulness of his conduct. The Applicant has expressed remorse for the conduct.
4. The Commission find the Applicant is suitable to be placed in a position of public trust as a teacher.
5. The Commission finds the Applicant is a suitable role model for students. Applicant would like to figure out how to use this experience to teach others.

THEREFORE the Professional Practices Commission, by vote of 6-0, recommends the Kansas State Board of Education grant the application for a professional teaching license subject to public censure by the Kansas State Board of Education in recognition that Applicant engaged in professional misconduct but not of a serious enough nature to remove him from the classroom.

This Initial Order is made and entered this August, 2022.

PROFESSIONAL PRACTICES COMMISSION



Jennifer Holt, Chairman

Order signed on August 3, 2022

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.

Barbara Hughes
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 5th day of August, 2022, 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 to:

Nathan Sullivan
c/o Christopher Coleman
Staff Attorney
KNEA Legal Services
715 SW 10th Ave
Topeka, Kansas 66612

And via interoffice mail to:

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



Marisa Seale

Secretary, Professional Practices Commission