

**BEFORE THE KANSAS STATE BOARD OF EDUCATION**

In the Matter of  
the Application of  
David Beckley

19-PPC-14

**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 December 9, 2019. David Beckley did not appear. The Kansas State Department of Education appeared by General Counsel, R. Scott Gordon. After reviewing the evidence, the Commission voted **7 – 0**, to recommend the Board deny David Beckley's application for a substitute teaching license.

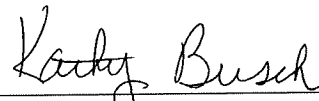
WHEREUPON the Board reviewed the Commission's Initial Order and after considering the presentation by Linda Sieck, Commission Chair, who was available to answer the Board's questions and being otherwise duly advised in the premises, the Board adopted the Commission's findings of fact and conclusions 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 David Beckley's application for a substitute teaching license is denied.

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 20<sup>th</sup> day of May 2020, a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to:

David Beckley  
1560 SW Glendale Drive  
Topeka, KS 66604

And via interoffice mail to:

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

  
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Peggy Hill, Secretary  
Kansas State Board of Education

**BEFORE THE KANSAS STATE BOARD OF EDUCATION  
PROFESSIONAL PRACTICES COMMISSION**

In the Matter of  
the Application of  
David Beckley

19-PPC-14

**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 denial of David Beckley's application for a substitute teaching license.

The hearing on this matter was held on December 9, 2019. Appearing for the Commission were chairperson, Linda Sieck, and members, William Anderson, Aaron Edwards, Jennifer Holt, Sylvia Ramirez, Stan Ruff, and Caroline Spaulding. The KSDE appeared by and through its attorney, General Counsel, R. Scott Gordon. David Beckley did not appear.

**FINDINGS OF FACT**

1. David Beckley applied for a substitute teaching license. He is not currently licensed.
2. On December 20th, 2013, Mr. Beckley's license to practice chiropractic medicine in the State of Kansas was suspended indefinitely by the Kansas State Board of Healing Arts ("KSBHA").
3. According to the KSBHA Summary Order, Mr. Beckley's license was suspended for failure to appear at an administrative hearing to determine whether he should be ordered to undergo a drug and alcohol evaluation. As a result of that hearing, Mr. Beckley was ordered to undergo a mental health evaluation to determine if he was unable to practice with reasonable skill and safety. According to the Summary Order, Mr. Beckley did not complete said evaluation and was found to have violated an order of the KSBHA.
4. The Kansas State Department of Education mailed a copy of the Complaint via certified mail to David Beckley's last known address. It was delivered September 20, 2019. Mr. Beckley did request a hearing and did submit an Answer to the Complaint.
5. On October 4, 2019, the Office of Administrative Hearings (OAH) granted a proposed default order for Mr. Beckley's failure to follow an order by OAH and failure to participate in the

adjudicative process. KSDE provided Mr. Beckley with discovery, and Mr. Beckley failed to respond.

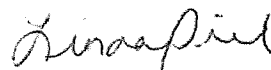
### CONCLUSIONS OF LAW

1. The Kansas State Board of Education 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. Any license issued by the State Board may be suspended or revoked, or the license holder may be publicly censured by the State Board for misconduct or other just cause. K.A.R. 91-22-1a(a).
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. Any person who has been denied a license or who has had a license revoked for conduct described in subsection (a) of K.A.R. 91-22-1a may apply for a license by completing an application for a license and submitting evidence of rehabilitation to the Kansas Professional Practices Commission. The evidence shall demonstrate that the grounds for denial or revocation have ceased to be a factor in the fitness of the person seeking licensure. Factors relevant to a determination as to rehabilitation are listed in K.A.R. 91-22-1a(g). Here, Mr. Beckley submitted no evidence of rehabilitation.
5. If a party fails to participate in the adjudicative process, the party may be found in default. K.S.A. 77-520.

THEREFORE the Professional Practices Commission, by vote of 7-0, recommends the Kansas State Board of Education deny the application of David Beckley for a substitute license, based on his criminal misconduct, having a professional license suspended indefinitely with the KSBHA without evidence of rehabilitation, 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 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 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:

David T. Beckley  
1560 SW Glendale Drive  
Topeka, KS 66604

And via interoffice mail to:

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

*Candi Brown*

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Candi Brown

Secretary, Professional Practices Commission