

**BEFORE THE KANSAS STATE BOARD OF EDUCATION**

In the Matter of  
the License  
of Michael Knake

18-PPC-17

**FINAL ORDER**

NOW, on this 9th day of October 2018, 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, Kathy Busch, Sally Cauble, Deena Horst, Jim McNiece, Ann Mah, Steve Roberts, Janet Waugh, and Ken Willard.

WHEREUPON the Professional Practices Commission (Commission) considered the matter on August 10, 2018. Michael Knake appeared not. The Kansas State Department of Education appeared through its attorney, Scott Gordon. After reviewing the evidence, the Commission voted **7 – 0**, to recommend the Board revoke Michael Knake’s substitute license and any associated endorsements.

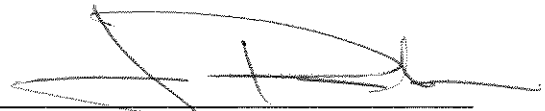
WHEREUPON the Board reviewed the Commission’s Initial Order and after considering the presentation by Linda Sieck, Commission Chair, who was available to answer the Board’s questions and being otherwise duly advised in the premises, the Board adopted the Commission’s findings of fact and conclusions of law by a vote of **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 Michael Knake’s substitute license and any endorsements are hereby revoked.

This Final Order is made and entered this 9th day of October 2018.

Kansas State Board of Education



BY: Jim Porter, Chairman  
Signed October 9<sup>th</sup>, 2018

**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

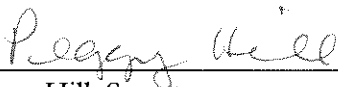
**CERTIFICATE OF SERVICE**

I hereby certify that on this 10<sup>th</sup> day of October 2018, a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to:

Michael Knake  
1803 Westwood Road  
Salina, Kansas 67401

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 License of  
Michael Knake

18-PPC-17

**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 Michael Knake's substitute license.

The hearing on this matter was held on August 10, 2018. Appearing for the Commission were chairperson, Linda Sieck, and members, Nathan Reed, Laura Batson, William Anderson, Eric Filippi, Jennifer Holt and Aaron Edwards. The KSDE appeared by and through its attorney, General Counsel, R. Scott Gordon. Michael Knake did not appear.

**FINDINGS OF FACT**

1. Michael Knake holds a Substitute Teaching License.
2. On October 11, 2017, Knake was charged with misdemeanor theft, in case #2017CRM001263 in the Municipal Court of Salina, Kansas. October 24, 2017, Knake pled guilty to theft and received probation for one year.
3. The Kansas State Department of Education mailed a copy of the Complaint via certified mail to Mr. Knake's last known address. It was received on April 30, 2018. Mr. Knake did not submit a written Answer or request a hearing.


### 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. K.A.R. 91-22-1a(b).
3. Additionally, the State Board may revoke the license of an individual who has been convicted of misdemeanor theft. K.A.R. 91-22-1a(a)(3).
4. The State Board may be cancel, i.e., revoke, a teaching license on the grounds of immorality. K.S.A. 72-1383; Hainline v. Bond, 250 Kan. 217 (1992). One of the obvious goals of education is to "instill respect for the law." An educator is a role model. Hainline at 224.
5. In Kansas, teaching and school administration are professions with all the similar rights, responsibilities, and privileges accorded other legally recognized professions. K.S.A. 72-2308.
6. Knake'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 the profession and demonstrates a lack of fitness to perform the duties and responsibilities of a member of the teaching and school administration professions. Such conduct is sufficient and just cause to revoke Knake's license.

THEREFORE the Professional Practices Commission, by vote of 7-0, recommends the Kansas State Board of Education revoke the Substitute license of Michael Knake based on his theft conviction, and for not requesting a hearing or submitting an answer in response to the Complaint.

This Initial Order is made and entered this August 10, 2018.

PROFESSIONAL PRACTICES COMMISSION

  
\_\_\_\_\_  
Linda Sieck, Chairman  
Order signed on Sept. 25, 2018.

## 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.

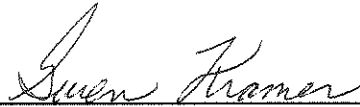
**CERTIFICATE OF SERVICE**

I hereby certify that on this 26<sup>th</sup> day of September, 2018, 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:

Michael Knake  
1803 Westwood Road  
Salina, Kansas 67401

And via interoffice mail to:

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



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Gwen Kramer  
Secretary, Professional Practices Commission