

**BEFORE THE KANSAS STATE BOARD OF EDUCATION**

In the Matter of  
the License of  
Sonnet Conover

Case No. 18-PPC-28  
OAH No. 19ED0010 ED

**FINAL ORDER**

NOW, on this 13th day of August 2019, 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, Ann Mah, Jim Porter, Steve Roberts, and Janet Waugh.

WHEREUPON the Professional Practices Commission (Commission) considered the matter on June 14, 2019. Sonnet Conover appeared in person and with counsel John M. Duma. The Kansas State Department of Education appeared by and through its attorney, General Counsel, R. Scott Gordon. After reviewing the evidence, the Commission voted **6 - 0**, to recommend the Board not revoke the Professional Teaching License of of Sonnet Conover's, but to alternatively subject Conover's license to public censure and suspend her license until she provides documentation of her successful completion of her diversion and closure of the criminal matter. Counsel for Ms. Conover provided the documents of completion and closure on June 26, 2019.

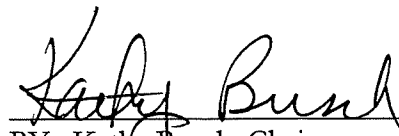
WHEREUPON the Board reviewed the Commission's Initial Order, the Board adopted the Commission's findings of fact and conclusions of law by a vote of **9 - 0**.

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 the Complaint filed by KSDE seeking to revoke the teaching license of Sonnet Conover be denied and that in the alternative Conover's license be subject to public censure.

This Final Order is made and entered this 13th day of August 2019.

Kansas State Board of Education

  
BY: Kathy Busch, Chairman  
Signed August 14, 2019

## 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

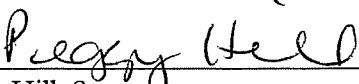
## CERTIFICATE OF SERVICE

I hereby certify that on this 15<sup>th</sup> day of August 2019, a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to:

John M. Duma  
Duma Law Offices LLC  
303 E. Poplar  
Olathe, KS 66061

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 DEPARTMENT OF EDUCATION  
PROFESIONAL PRACTICES COMMISSION

In the Matter of  
the License of  
**Sonnet Conover**

Case No. 18-PPC-28

OAH No. 19ED0010 ED

**INITIAL ORDER**

**Decision**

Having heard the testimony of the witnesses, considered the evidence presented, reviewed the applicable statutes, regulations and policies, and otherwise being duly and fully informed in the premises of this matter, the Professional Practices Commission (Commission) of the Kansas State Department of Education (KSDE) on a vote of 6 to 0 recommends to the Kansas State Board of Education that the Complaint filed by KSDE seeking to revoke the teaching license of Sonnet Conover (Conover) be denied and that in the alternative Conover's license be subject to public censure. In addition, the Commission recommended that Conover's license be suspended until she provides documentation of successful completion of her diversion and closure of the criminal matter.<sup>1</sup> Such documentation must be submitted to legal counsel for KSDE as soon as it is received, at which time the suspension will be lifted.

**Statement of Case**

This matter comes on for hearing before the Commission upon the Complaint filed by the KSDE seeking revocation of Conover's teaching license.

The hearing was held on June 14, 2019. Appearing for the Commission were vice-chairperson, Nathan Reed, and members William Anderson, Eric Filippi, Jennifer Holt, Stan Ruff and Aaron Edwards.

Conover appeared in person and with counsel John M. Duma.

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

**Evidentiary Rulings**

Counsel for KSDE requested that KSDE Exhibits A through C be admitted as evidence. Conover had no objection. KSDE Exhibits A through C were admitted.

Conover offered Exhibits A through F. KSDE previously objected to Exhibit E and the objection was sustained in a Prehearing Order issued on June 11, 2019. All remaining exhibits offered by Conover were admitted.

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<sup>1</sup> On July 1, 2019 counsel for Conover provided documentation that Conover's diversion agreement was completed, and the criminal matter had been dismissed. The suspension should not be imposed.

## Discussion

### Findings of Fact

1. As of the date of the Complaint filed in this matter, Conover held a professional teaching license, having been licensed since 2004.

2. Conover testified, and the evidence supported, that she was charged with one count of Possession of Illegal Drug and one count of Possession of Drug Paraphernalia on November 18, 2017 in violation of Lenexa City Ordinances #3-9-H-1-A-1 and #3-9-H-2-A-2. The citation issued was #E2014355.

3. Conover entered into a diversion agreement with the City of Lenexa, Kansas on April 12, 2018.

4. In accepting the diversion agreement Conover agreed to: a diversion term of twelve (12) months; pay fees and costs totaling \$445.00; report to a monitor on a monthly basis; completed cognitive therapy and treatment; submitted to random urine tests; and, complete community service.

5. Conover's diversion was set to conclude on April 12, 2019. The testimony offered was that Conover had completed the diversion and was merely awaiting on documentation from the City of Lenexa confirming that the matter was dismissed and closed.

6. Conover was licensed as a teacher in the State of Kansas at the time of the offense.

7. On November 30, 2018, the KSDE filed a Complaint against Conover seeking revocation of her teaching license based on her alleged misconduct.

8. On December 10, 2018, Conover filed a request for a hearing on the complaint filed by KSDE.

### Conclusions of Law

1. The Kansas State Board of Education ("State Board") is responsible for the general supervision of education, including the certification and licensure of teachers, in Kansas. Kan. Const., Art. VI and K.S.A. 2017 Supp. 72-255.

2. K.A.R. 91-22-1a(a) provides, in pertinent part, that "[a]ny 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" including: "(11) entry into a criminal diversion agreement after being charged with any offense or act described in this subsection."

3. Conover acknowledged that she was charged with offenses on November 18, 2017 and that what she did was wrong. Conover explained the circumstances that led to her citation and the diversion and took responsibility for her actions.

4. K.A.R. 91-22-1a(g) sets forth what must be satisfied for a teacher that has had their license denied or revoked based on a violation of the provisions in subsection (a) of the same regulation to apply for a new license

5. Although not required in this matter, the Commission felt it was appropriate to consider the factors set forth in K.A.R. 91-22-1a(g)(1) in determining if Conover should be revoked or if there was sufficient evidence that she had been rehabilitated.

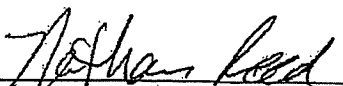
6. The Commission, in determining whether to recommend to the Board that an individual's application should be granted, is required to determine the extent of the applicant's efforts at rehabilitation as well as the fitness of the applicant to be a member of the teaching profession. *Wright v. State Bd. of Educ.*, 268 P.3d 1231 (Kan.App. 2012). The Commission has utilized these same principles in determining if a teacher's license should be revoked.

7. In considering the factors in relation to the facts in this matter, the Commission felt that Conover demonstrated fitness to retain her license to teach. Among other factors the Commission identified that Conover expressed remorse and recognition of the wrongfulness of her actions. Conover testified that she had identified alternate means of coping with the stressors that had served as the basis for her drug use in the past, allowing her to avoid being in a similar position in the future. The Commission felt that Conover remained suitable to be placed in a position of trust and would be a suitable role model for students. The Commission also felt that she was forthcoming and truthful in her testimony.

8. While the Commission disagreed with the KSDE recommendation that Conover's license be revoked, the Commission did conclude that some discipline was warranted and should be imposed.

9. On a vote of 6 to 0 the Commission recommends to the Kansas State Board of Education that the Complaint filed by KSDE seeking to revoke the teaching license of Sonnet Conover be denied and that in the alternative Conover's license be subject to public censure. In addition, the Commission recommended that Conover's license be suspended until she provides documentation of successful completion of her diversion and closure of the criminal matter. Such documentation must be submitted to legal counsel for KSDE as soon as it is received, at which time the suspension will be lifted.

**IT IS SO ORDERED.**

  
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Nathan Reed, Vice-chairperson  
Professional Practices Commission

## NOTICE

This Initial Order of the Professional Practices Commission 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.

You may submit to the Kansas State Board of Education for its consideration as a 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,  
Topeka, Kansas 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 on 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 2<sup>nd</sup> day of July, 2019, 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:

John M. Duma  
Duma Law Offices LLC  
303 E Poplar  
Olathe, KS 66061  
Tel: (913) 785-7072

R. Scott Gordon, Attorney  
Kansas State Department of Education  
900 SW Jackson, Ste. 102  
Topeka, KS 66612  
Telephone: 785-296-3204

  
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Gwen Kramer  
Secretary, Professional Practices Commission