

**BEFORE THE KANSAS STATE BOARD OF EDUCATION**

In the Matter of  
the Application of  
Edward Popplewell

19-PPC-32

**FINAL ORDER**

NOW, on this 10th day of December 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, Jim McNiece, Ann Mah, Jim Porter, Steve Roberts, and Janet Waugh.

WHEREUPON the Professional Practices Commission (Commission) considered the matter on October 7, 2019. Edward Popplewell did not appear. 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 revoke the teaching license of Edward Popplewell.

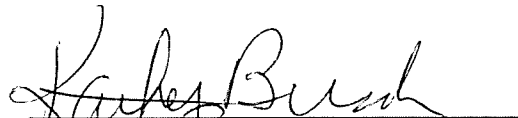
WHEREUPON the Board reviewed the Commission's Initial Order and after considering the presentation by Linda Sieck, Commission Chair, who was available to answer the Board's questions and being otherwise duly advised in the premises, the Board adopted the Commission's findings of fact and conclusions 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 Edward Popplewell's teaching license is revoked

This Final Order is made and entered this 10th day of December 2019.

Kansas State Board of Education



BY: Kathy Busch, Chairman  
Signed December 18, 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

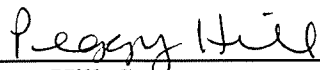
**CERTIFICATE OF SERVICE**

I hereby certify that on this 19<sup>th</sup> day of December 2019, a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to:

Edward Popplewell  
2119 Kickapoo Rd.  
Winfield, KS 67156

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  
Edward Popplewell

19-PPC-32

**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 (“KSDE”)

The hearing on this matter was held on October 7, 2019. The KSDE appeared by and through General Counsel, R. Scott Gordon. Edward Popplewell did not appear.

**FINDINGS OF FACT**

1. On July 24, 2019 the Kansas State Department of Education signed a Complaint requesting the revocation of Mr. Popplewell’s license. A copy of the same was mailed to Mr. Popplewell and filed on July 30, 2019.
2. The Complaint was mailed to Mr. Popplewell’s address on record. It was delivered on August 2, 2019.
3. Mr. Popplewell did not file an Answer to the Complaint nor did he request a hearing.
4. The Complaint alleges that on May 9, 2019, Mr. Popplewell entered into a Diversion Agreement for possession of marijuana and possession of drug paraphernalia.

**CONCLUSIONS OF LAW**

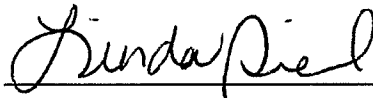
1. The Kansas State Board of Education (State Board) is responsible for the general supervision of Kansas education, including the certification and licensure of teachers. Kan. Const., Art. VI and K.S.A. 72-255.
2. One of the obvious goals of education is to “instill respect for the law.” Hainline v. Bond, 250 Kan. 217 (1992). An educator is a role model. Hainline at 224.
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. The Kansas State Board of Education may revoke the license for misconduct or other just cause including entering into a criminal diversion agreement after being charged with any offense involving drugs. K.A.R. 91-22-1a.
5. Mr. Popplewell provided no evidence of remorse, rehabilitation, or recognition of the wrongfulness of his actions.

THEREFORE the Professional Practices Commission recommends to the State Board, by a vote of 6-0, that Edward Popplewell license be revoked immediately.

This Initial Order is made and entered this November 20, 2019.

PROFESSIONAL PRACTICES COMMISSION



Linda Sieck, Chairman

Order signed on November 20, 2019.

## 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.

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 26th day of November, 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:

Edward Popplewell  
2119 Kickapoo Rd.  
Winfield, KS 67156

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