

BEFORE THE KANSAS STATE BOARD OF EDUCATION

In the Matter of
the Application of
Karen Wahwasuck

PPC No. 21-PPC-20

FINAL ORDER

NOW, on this 8th day of March 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 January 21, 2022. Karen Wahwasuck appeared in person. The Kansas State Department of Education appeared through its attorney, General Counsel, R. Scott Gordon. After reviewing the evidence, the Commission voted **7 – 0**, to recommend the Board deny the application of Karen Wahwasuck's emergency substitute license.


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 Karen Wahwasuck's application for an emergency substitute license is denied.

This Final Order is made and entered this 8th day of March 2022.

Kansas State Board of Education


BY: Jim Porter, Chairman
Signed March 9th, 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.

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 9th day of March 2022, a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to:

Karen Wahwasuck
1106 Golden Eagle Road
Horton, Kansas 66439

And via interoffice mail to:

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



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 Karen Wahwasuck

21-PPC-20

INITIAL ORDER

The above-captioned case comes on for hearing before the Professional Practices Commission (Commission) of the Kansas State Department of Education (KSDE) upon Karen Wahwasuck's (Applicant) application for an Emergency Substitute Teaching License.

The hearing on this matter was held on January 21, 2022. Appearing for the Commission were chairperson, Jennifer Holt, Aaron Edwards, Eric Filippi, Carey Spaulding, Charrica Osborne, Christy Ziegler, and Jamie Wetig. The KSDE appeared by and through its attorney, General Counsel, R. Scott Gordon. The Applicant appeared on her own behalf.

FINDINGS OF FACT

1. Applicant applied for an Emergency Substitute Teaching License. She is not currently licensed.
2. On or about June 29, 2011, Applicant was convicted with felony possession of methamphetamine and misdemeanor drug paraphernalia in the Jackson County District Court, Case #11CR232. On or about April 19, 2014, Applicant was convicted with felony making false information and misdemeanor theft. On April 21, 2014, Applicant was convicted with misdemeanor theft. On or about June 18, 2014, Applicant was convicted with misdemeanor theft and attempted theft by deception, Case #2014-CR-000213. On or about June 22, 2014, Applicant was convicted of misdemeanor theft, Case #14CR-212.
3. Applicant testified that her drug of choice was alcohol, and that she is still undergoing treatment for alcohol use.
4. Applicant did not provide any letters of recommendation or evidence of rehabilitation other than her own testimony, despite being advised to do so prior to the hearing.

CONCLUSIONS OF LAW

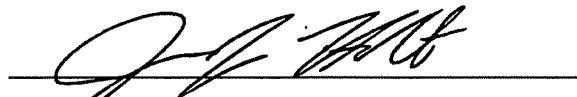
1. The Kansas State Board of Education (State Board) is responsible for the general supervision of Kansas education, including the certification and licensure of teachers. Kan. Const., Art. VI and K.S.A. 72-255.

2. The State Board may deny a license for misconduct or other just cause. K.A.R. 91-22-1a(a) The State Board may deny a licensee for conviction of any crime punishable as a felony. K.A.R. 91-22-1a(a)(1). The State Board may deny a license for conviction of any crime involving drugs. K.A.R. 91-22-1a(a)(4). The State Board may deny a license for conviction of any crime involving theft. K.A.R. 91-22-1a(a)(3).
3. 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.
4. Teaching and school administration are professions with all the similar rights, responsibilities and privileges accorded other legally recognized professions. K.S.A. 72-2308.
5. Applicant’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 members of the profession. Applicant’s conduct demonstrates a lack of fitness to perform the duties and responsibilities of a member of the teaching and school administration professions and is sufficient and just cause to deny her application for license.
6. Applicant was licensed as an educator at the time of her misconduct.
7. Applicant demonstrated remorse for her past conduct and accepts it as a part of her life.
8. Applicant failed to show proof of rehabilitation, and failed to provide references or anyone speaking on her own behalf even though she was advised to do so prior to the hearing. The Commission feels the Applicant may be on a path toward rehabilitation but feels she is still vulnerable due to lack of a support system.

THEREFORE the Professional Practices Commission recommends to the State Board by a vote of 7 – 0 that the Applicant’s application for Emergency Substitute Teaching License be denied.

This Initial Order is made and entered this January 21, 2022.

PROFESSIONAL PRACTICES COMMISSION



Jennifer Holt, Chairperson

Order signed on _____ February 9, 2022.

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 9th day of February, 2022, 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:

Karen Wahwasuck
1106 Golden Eagle Road
Horton, Kansas 66439

And via interoffice mail to:

R. Scott Gordon
General Counsel, KSDE
900 SW Jackson Street, Ste. 102
Topeka, Kansas 66612



Marisa Seele
Secretary, Professional Practices Commission