

BEFORE THE KANSAS STATE BOARD OF EDUCATION

In the Matter of
the Application of
Nosaze Enoma f/k/a Nosaze E. Knight

15-PPC-14

FINAL ORDER

NOW, on this 15th day of July, 2015, the above-captioned matter comes for consideration by the Kansas State Board of Education (Board) upon the Application for a Kansas Substitute License submitted by Nosaze Enoma. Appearing for the Board are Chariman, Jim McNiece, and members, John Bacon, Kathy Busch, Carolyn Wims-Campbell, Sally Cauble, Deena Horst, Jim Porter, Steve Roberts, Janet Waugh, and Ken Willard.

WHEREUPON, a complaint was filed by the Kansas State Department of Education and Mr. Enoma had the opportunity to respond to the complaint. Mr. Enoma did not respond to the complaint. The complaint and supporting evidence were reviewed by the Professional Practices Commission (Commission).

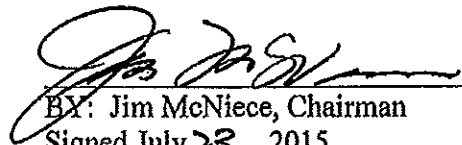
WHEREUPON the Board reviewed the Commission's Initial Order and after considering the presentation by Jessica Snider, member of the Commission, who was available to answer the Board's questions and being otherwise duly advised in the premises, the Board adopted the Commission's findings of fact and conclusions of law by a vote of 7 - 3.

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 Nosaze Enoma's application for a Kansas Substitute License is denied.

This Final Order is made and entered this 15th day of July, 2015.

Kansas State Board of Education


BY: Jim McNiece, Chairman
Signed July 23, 2015

NOTICE TO APPLICANT

You may request a reconsideration of the above Order. To do so, you must file a Petition for Reconsideration with the Secretary to the State Board of Education, at the address stated below, within 15 days after service of this Final Order. The Petition must state the specific grounds upon which relief is requested.

The filing of a Petition for Reconsideration is not a prerequisite for seeking judicial review.

Peggy Hill
Secretary, KSBE
Landon State Office Building
900 SW Jackson Ave. Suite 600N
Topeka, Kansas 66612

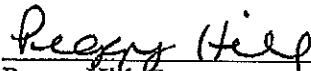
CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of July, 2015, a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to:

Nosaze Enoma
1054 Kimball Avenue
Kansas City, Kansas 66104

And via interoffice mail to:

Kelli M. Broers
Attorney, Kansas State Department of Education
Landon State Office Building
900 SW Jackson Ave., Suite 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
Nosaze Enoma f/k/a Nosaze E. Knight

15-PPC-14

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 the application of Nosaze Enoma for a Kansas Substitute License.

The hearing on this matter convened on June 15, 2015. Appearing for the Commission were chairperson, Calin Kendall, and members, Dorsey Burgess, Tavis Desormiers, Kimberly Groom, Bradley Nicks, Linda Sieck, and Jessica Snider. Kelli Broers appeared as counsel for KSDE. Nosaze Enoma did not appear.

FINDINGS OF FACT

1. Nosaze Enoma first applied for a Kansas substitute teaching license in 2008. Records on file with KSDE indicate he was denied an Emergency Substitute Teaching License on October 14, 2008. Those records show Mr. Enoma was denied pursuant to K.A.R. 91-22-1a as a consequence of his conduct in engaging in acts constituting the commission of multiple felonies including, felony robbery, felony possession of marijuana for sale, and felony attempted possession of cocaine.
2. Most recently, Mr. Enoma applied for an Emergency Substitute License on September 18, 2014. When asked if he had ever been convicted of a felony or ANY crime involving theft, drugs, or a child he answered "no" to both questions.
3. KSDE filed a Complaint pursuant to K.A.R. 91-22-5a on March 9, 2015. That same Complaint was placed in the mail on March 10, 2015, by certified mail, return receipt requested, to the last known address of Mr. Enoma. The Complaint was delivered on March 13, 2015.
4. Mr. Enoma did not request a hearing, nor did he file an answer to KSDE's complaint.

CONCLUSIONS

1. Pursuant to K.S.A. 72-8501, the Legislature has declared teaching and school administration to be professions in Kansas with all the similar rights, responsibilities and privileges accorded other legally recognized professions. An educator is in a position of public trust.

2. Pursuant to K.A.R. 91-22-1a, the Kansas State Board of Education (State Board) may deny a teacher's license/certificate to any person for misconduct or other just cause such as committing any crime punishable as a felony.
3. The State Board has the authority pursuant to K.A.R. 91-22-1a(b) to deny a teaching license for misconduct or other just cause. The State Board may also deny a license to a person who misrepresents or fails to disclose material facts on the application.
4. Additionally, the State Board is prohibited from issuing a license to or renewing the license of any person who has been convicted of:

...

"(1) A felony under K.S.A. 21-36a01 through 21-36a17, prior to their transfer, or article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, or any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009;

"(2) a felony described in any section of article 34 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 54 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 21-6104, 21-6325, 21-6326 or 21-6418, and amendments thereto, other than an act specified in subsection (a), or a battery, as described in K.S.A. 21-3412, prior to its repeal, or subsection (a) of K.S.A. 21-5413, and amendments thereto, or domestic battery, as described in K.S.A. 21-3412a, prior to its repeal, or K.S.A. 21-5414, and amendments thereto, if the victim is a minor or student;

...

"(9) attempt under K.S.A. 21-3301, prior to its repeal, or K.S.A. 21-5301, and amendments thereto, to commit any act specified in this subsection; [or]

...

"(11) an act committed in violation of a federal law or in violation of another state's law that is comparable to any act described in this subsection."

K.S.A. 72-1397(b).

5. Pursuant to K.S.A. 72-1397(b) and (c), the State Board, after a hearing, may issue a license to an applicant previously barred by K.S.A. 72-1397(b) if the State Board determines the applicant has demonstrated he is rehabilitated and five years have passed since conviction. In determining whether an applicant is rehabilitated the State Board considers the following non-exhaustive list:

- The nature and seriousness of Applicant's criminal behavior
- Conduct subsequent to the behavior for which Applicant was charged
- The time elapsed since the commission of Applicant's criminal actions
- Applicant's age at the time of his criminal actions
- Whether the offenses were isolated or recurring incidents
- Whether Applicant demonstrate a present recognition of the wrongfulness of your actions
- Whether it is suitable to place Applicant in a position of public trust
- Whether Applicant is a suitable role model for students

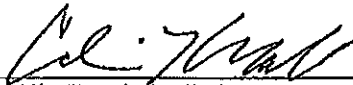
6. If no answer to a Complaint is filed within 20 days, Applicant is deemed to have admitted the allegations contained in the Complaint and acquiesced in the proposed action.
K.A.R. 91-22-9.

7. Though five years have passed since Mr. Enoma's felony convictions, he has failed to demonstrate rehabilitation.

THEREFORE the Professional Practices Commission concludes, by a vote of 7 - 0, subject to the State Board's review, that Mr. Enoma's application for a teaching license should be denied.

This Initial Order is made and entered this June 15, 2015.

PROFESSIONAL PRACTICES COMMISSION



Colin Kendall, Chairman
Order signed on June 16, 2015.

NOTICE TO APPLICANT


This Order of the Professional Practices Commission is not a Final Order and is required to be reviewed by the State Board in accordance with the provisions of the Kansas Administrative Procedure Act.

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. The legal brief must be filed with the Secretary of the Professional Practices Commission at the address indicated above within ten days after service of the Initial Order for transmittal to the State Board.

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of June, 2015, 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:

Nosaze Enoma
1054 Kimball Avenue
Kansas City, Kansas 66104



Theresa Cote
Secretary, Professional Practices Commission