

BEFORE THE KANSAS STATE BOARD OF EDUCATION

In the Matter of
the Application of
Calvin J. Andrews

19-PPC-27

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. Calvin J. Andrews 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 deny the application of Calvin J. Andrews for a substitute license.

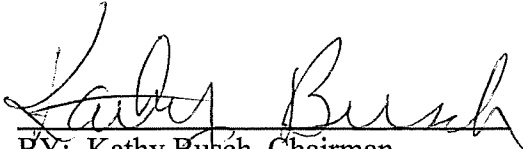
WHEREUPON the Board reviewed the Commission's Initial Order and after considering the presentation by Linda Sieck, Commission Chair, who was available to answer the Board's questions and being otherwise duly advised in the premises, the Board adopted the Commission's findings of fact and conclusions 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 Calvin J. Andrews' application for a substitute license is denied.

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

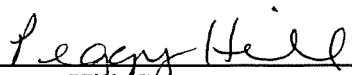
CERTIFICATE OF SERVICE

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

Calvin J. Andrews
250 W. Douglas #1103
Wichita, KS 67202

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 License of
Calvin J. Andrews

19-PPC-27

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. Appearing for the Commission were chairperson, Linda Sieck, and members, Eric Filippi, Jennifer Holt, Nathan Reed, Sylvia Ramirez, and Stan Ruff. The KSDE appeared by and through General Counsel, R. Scott Gordon. Calvin J. Andrews did not appear.

FINDINGS OF FACT

1. On May 20, 2019, Calvin J. Andrews applied for a Substitute Teaching License.
2. On July 24, 2019 the Kansas State Department of Education signed a Complaint requesting the denial of Mr. Andrews’ license. A copy of the same was mailed to Mr. Andrews and filed on July 30, 2019.
3. The Complaint was mailed to Mr. Andrews’ address on record. It was delivered on August 13, 2019.
4. Mr. Andrews did not file an Answer to the Complaint nor did he request a hearing.
5. The Complaint alleges that on April 6, 2012, Mr. Andrews was convicted on one misdemeanor count of Lewd and Lascivious Behavior as defined in Wichita City Ordinance 5.68.140(b)(“Publicly exposing a sex organ or exposing a sex organ in the presence of a person who is not the spouse of the offender and who has not consented thereto, with intent to arouse or gratify the sexual desires of the offender or another.”)
6. On the 13th day of August, 2013, the State Board of Education revoked Mr. Andrews’ license and all endorsement previously issued in case number 2013-PPC-22.
7. Mr. Andrews waited the five-year requirement since the revocation of his last license before reapplying for a new teaching license.

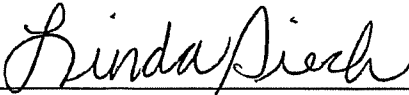
CONCLUSIONS OF LAW

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 deny the license for misconduct or other just cause. K.A.R. 91-22-1a.
5. Mr. Andrews 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 Calvin J. Andrews’ application for a Substitute Teaching license be denied.

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:

Calvin J. Andrews
250 W. Douglas #1103
Wichita, KS 67202

And via interoffice mail to:

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



Candi Brown
Secretary, Professional Practices Commission