

**BEFORE THE KANSAS STATE BOARD OF EDUCATION**

In the Matter of  
the Application of  
Veronica Alvarez

PPC No. 20-PPC-19  
OAH No. 21ED0002 ED

**FINAL ORDER**

NOW, on this 12th day of January 2021, 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 December 11, 2020. Veronica Alvarez appeared not. The Kansas State Department of Education appeared by General Counsel, R. Scott Gordon. After reviewing the evidence, the Commission voted **8-0** to recommend the Board deny Veronica Alvarez's application for an emergency substitute license.

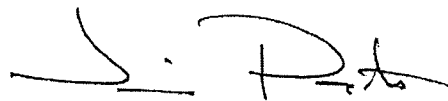
WHEREUPON the Board reviewed the Commission's Initial Order and after considering the presentation by Jennifer Holt, Acting Chairperson, who was available to answer the Board's questions and being otherwise duly advised in the premises, the Board adopted the Commission's findings of fact and conclusions 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 Veronica Alvarez's application for an emergency substitute license is denied.

This Final Order is made and entered this 12th day of January 2021.

Kansas State Board of Education



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BY: Jim Porter, Chairman  
Signed January 26, 2021

**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

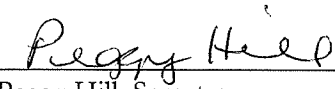
**CERTIFICATE OF SERVICE**

I hereby certify that on this 26<sup>th</sup> day of January 2021, a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to:

Veronica Alvarez  
405 E. 8<sup>th</sup> Avenue  
Hutchinson, KS 67501

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 Application of  
Veronica Alvarez

PPC No. 20-PPC-19  
OAH No. 21ED0002 ED

**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 December 11, 2020. Appearing for the Commission were acting chairperson, Jennifer Holt, and members, Bill Anderson, Aaron Edwards, Eric Filippi, Kimberly Gilman, Nathan Reed, Stan Ruff, and Caroline Spaulding. The KSDE appeared by and through General Counsel, R. Scott Gordon. Veronica Alvarez did not appear.

**FINDINGS OF FACT**

1. Veronica Alvarez applied for an Emergency Substitute Teaching License. Ms. Alvarez was previously licensed by the Kansas State Board of Education from August 2016 through June, 2017.
2. On or between November 2, 2011 and November 3<sup>rd</sup>, 2016, Ms. Alvarez possessed marijuana as well as drug paraphernalia within Reno County, Kansas. On or about November 3<sup>rd</sup>, 2011, she unlawfully and recklessly exposed three children to the danger of great bodily harm or death. These actions were not known by KSDE at the time she received her license in 2016.
3. On February 22, 2019, Ms. Alvarez plead guilty to and was subsequently convicted of unlawful possession of marijuana, unlawful possession of paraphernalia, and three separate counts of misdemeanor endangering a child as defined in K.S.A. 21-5429(a).
4. On July 22, 2020, the Kansas State Department of Education filed a formal Complaint requesting the denial of the application for an emergency substitute license. The Complaint was mailed by certified mail to Ms. Alvarez’s last known address on July 23, 2020.
5. On July 29, 2020, Ms. Alvarez requested a hearing and did submit an answer to the Complaint.
6. A prehearing conference was conducted on September 17, 2020 whereby Ms. Alvarez appeared by phone on her own behalf. Mr. Gordon appeared on behalf of the KSDE. During that conference, both parties were advised of various deadlines to produce documents as well as advised as to when the hearing would occur before the Professional Practices Commission.

Those deadlines and the date and time of the hearing were subsequently documented in a prehearing order.

7. Ms. Alvarez did not provide any documents as potential exhibits, nor did she submit a list of witnesses she planned on calling on her behalf.
8. Ms. Alvarez was informed by her last known email address of the manner by which she would attend the Professional Practices Commission's Zoom hearing.
9. The hearing was scheduled to start at 10:30 a.m.. The Professional Practices Commission waited until after 10:40 a.m. before starting the hearing and proceeding in spite of Ms. Alvarez's absence.

### CONCLUSIONS OF LAW

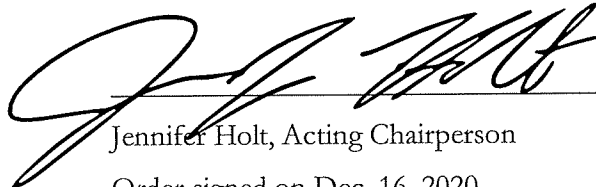
1. The Kansas State Board of Education (State Board) is responsible for the general supervision of Kansas education, including the certification and licensure of teachers. Kan. Const., Art. VI and K.S.A. 72-255.
2. The State Board may deny a license for misconduct or other just cause such as conviction of any crime involving drugs (K.A.R. 91-22-1a(a)(4)) and/or any crime involving a minor (K.A.R. 91-22-1a(a)(2))
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. Ms. Alvarez' 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. Her 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 denial of her application for licensure.
6. If a party fails to participate in the adjudicative process, the party may be found to have conceded to the outcome requested by the filed complaint.

THEREFORE the Professional Practices Commission recommends to the State Board, by a vote of **8-0**, that Veronica Alvarez's application for an emergency substitute license is denied, based on her convicted of unlawful possession of marijuana, unlawful possession of

paraphernalia, and three separate counts of misdemeanor endangering a child as defined in K.S.A. 21-5429(a) along with failure to participate in the administrative hearing.

This Initial Order is made and entered this December, 2020.

PROFESSIONAL PRACTICES COMMISSION



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Jennifer Holt, Acting Chairperson  
Order signed on Dec. 16, 2020.

**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.

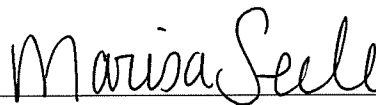
**CERTIFICATE OF SERVICE**

I hereby certify that on this 18<sup>th</sup> day of December, 2020, a true and correct copy of the above and foregoing was filed with the Secretary for the Kansas State Board of Education, one (1) copy was mailed by certified mail, return receipt requested; and one (1) copy was mailed by first-class prepaid postage mail, to:

Veronica Alvarez  
405 E. 8<sup>th</sup> St.  
Hutchinson, KS 67501

And via interoffice mail to:

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



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Marisa Seele  
Secretary, Professional Practices Commission