

BEFORE THE KANSAS STATE BOARD OF EDUCATION

In the Matter of
the License of
Lynne Boyette

Case No. 21-PPC-09
OAH No. 21ED0008 ED

FINAL ORDER

NOW, on this 12th day of October, 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 September 10, 2021. Lynne Boyette appeared by and through counsel Diane Bellquist. The Kansas State Department of Education appeared through its attorney, R. Scott Gordon. After reviewing the evidence, the Commission voted unanimously, to recommend the State Board publicly censure Lynne Boyette.

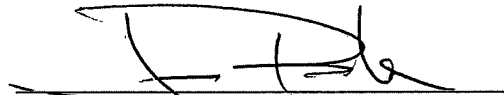
WHEREUPON the Board reviewed the Commission's Initial Order and after considering the presentation by R. Scott Gordon, General Counsel, who was available to answer the Board's questions and being otherwise duly advised in the premises, the Board adopted the Commission's findings of fact and conclusions 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 Lynne Boyette shall be publicly censured.

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

Kansas State Board of Education



BY: Jim Porter, Chairman
Signed October 22, 2021

**BEFORE THE KANSAS STATE BOARD OF EDUCATION
PROFESSIONAL PRACTICES COMMISSION**

In the Matter of
the License of
Lynne Boyette

21-PPC-09

**Initial Order based upon
Stipulated Findings of Fact and
Conclusions of Law**

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") seeking revocation of the license of Lynne Boyette ("Licensee").

The hearing on this matter was held on September 10, 2021. KSDE appeared by and through its attorney, R. Scott Gordon. Licensee appeared by and through counsel Diane Bellquist.

FINDINGS OF FACT

1. Licensee has been a licensed teacher since 2008.
2. On June 19, 2020, Licensee was convicted and sentenced in Olathe Municipal Court of misdemeanor theft. Licensee was placed on probation.
3. On June 19, 2021, Licensee successfully completed her term of probation
4. For purposes of these proceedings only, both parties agree and stipulate that substantial, competent evidence exists which warrants public censure of the Licensee.

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 of any teacher for professional misconduct or other just cause including entering into a criminal diversion agreement after being charged of a crime involving drug-related conduct. K.A.R. 91-22-1a.
5. By order of the State Board, the Commission shall investigate and conduct hearings pertaining to allegations of misconduct.
6. The Commission finds that substantial, competent evidence supports the public censure of the Licensee.
7. The Licensee acknowledges and understands the Commission can only make recommendations to the State Board.
8. Both KSDE and the Licensee agree to not present any additional evidence or information other than what has already been provided to the Professional Practices Commission and the stipulations contained herein, nor will either party ask the Commission or the State Board for discipline other than that recommended in this Initial Order.

THEREFORE the Professional Practices Commission recommends to the State Board that
Lynne Boyette be censured for her professional misconduct.

This Initial Order is made and entered this September 10, 2021.

PROFESSIONAL PRACTICES COMMISSION



Jennifer Holt, Chairwoman

Jennifer Holt, Chairwoman

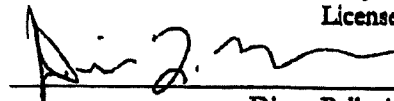
Order signed on SEP 25, 2021, 2021.

AGREED TO AND APPROVED BY:



Lynne Boyette

Lynne Boyette
Licensee



Diane Bellquist

Diane Bellquist

Counsel for Licensee



R. Scott Gordon

Kansas State Department of Education

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.

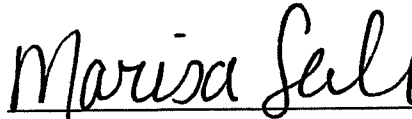
CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of September, 2021, 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:

Diane L. Bellquist
Joseph, Hollander & Craft, LLC
1508 SW Topeka Boulevard
Topeka, Kansas 66612

And via interoffice mail to:

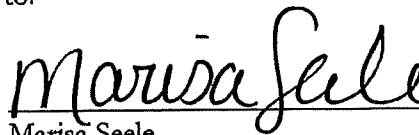
R. Scott Gordon
Kansas State Department of Education
900 SW Jackson Street, Suite 102
Topeka, Kansas 66612



Marisa Seele
Secretary, Professional Practices Commission

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of September, 2021, a true and correct copy of the above and foregoing was filed with the Secretary for the Professional Practices Commission and one copy was mailed by certified mail, return receipt requested, to:



Marisa Seele