

BEFORE THE KANSAS STATE BOARD OF EDUCATION

In the Matter of
the License of
Joshua Pounds

PPC No. 21-PPC-18

FINAL ORDER

NOW, on this 12th day of April 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. Joshua Pounds appeared not. 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 Joshua Pound’s voluntary surrender of his license be accepted and his teaching license and any associated endorsements be revoked immediately.

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 Joshua Pound’s voluntary surrender of his license is accepted and his professional teaching license and any associated endorsements are revoked.

This Final Order is made and entered this 12th day of April 2022.

Kansas State Board of Education



BY: Jim Porter, Chairman
Signed April 12, 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.

Makayla Auldridge
Secretary, Kansas State Board of Education
Landon State Office Building
900 SW Jackson Ave. Suite 600N
Topeka, Kansas 66612

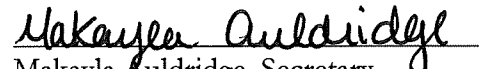
CERTIFICATE OF SERVICE

I hereby certify that on this 12 day of April 2022, a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to:

C. Richard Comfort
Allen & Allen Associates Law, LLC
212 North Concord
Minneapolis, Kansas 67467

And via interoffice mail to:

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


Makayla Auldridge, Secretary
Kansas State Board of Education

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

In the Matter of
the License of
Joshua Pounds

PPC No. 21-PPC-18

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 Joshua Pound’s submission of a voluntary surrender of his teaching license for revocation.

The Commission reviewed this matter on January 21, 2022. Appearing for the Commission were chairperson, Jennifer Holt, and members, 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. Licensee did not appear.

FINDINGS OF FACT

1. Licensee holds a professional teaching license issued by the Kansas State Board of Education.
2. Licensee voluntarily surrendered¹ his teaching license for revocation as a consequence of his misconduct and having been found guilty of misdemeanor sexual battery in the District Court of Cloud County, Kansas.

CONCLUSIONS OF LAW

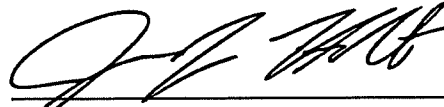
1. A member of the teaching or school administration profession may voluntarily surrender his license to the Commission. The Commission shall investigate the surrender and make a recommendation to the Kansas State Board of Education (State Board) for disposition of the license. K.A.R. 91-22-5a(e).
2. Under these circumstances, notice of the possible revocation of Licensee’s license and the opportunity for him to have a hearing are not required to revoke his license. See K.A.R. 91-22-1a(h). (Before a license is revoked for any act described in K.A.R. 91-22-1a(a), the person shall be given notice and an opportunity for a hearing).
3. The State Board may revoke a license for misconduct or other just cause including the commission or omission of any act that injures the health or welfare of a minor through physical or sexual abuse or exploitation. K.A.R. 91-22-1a(7).

¹ The voluntary surrender is attached hereto

THEREFORE the Professional Practices Commission recommends to the State Board, by a vote of 7-0, that Licensee's voluntary surrender of his license should be accepted and his teaching license should be revoked immediately.

This Initial Order is made and entered this March, 2022.

PROFESSIONAL PRACTICES COMMISSION



Jennifer Holt, Chairperson

Order signed on March 3, 2022.

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.

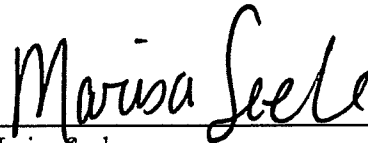
CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of March, 2022, 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:

C. Richard Comfort
Allen & Allen Associates Law, LLC
212 North Concord
Minneapolis, Kansas 67467

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