

BEFORE THE KANSAS STATE BOARD OF EDUCATION

In the Matter of
the Application of
Michael Bishop

Case No. 21-PPC-06

FINAL ORDER

NOW, on this 8th day of June, 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 April 16, 2021. Michael Bishop did not appear. The Kansas State Department of Education appeared through its attorney, R. Scott Gordon. After reviewing the evidence, the Commission voted **7 – 0**, to recommend the Board deny Michael Bishop's application for an emergency substitute teaching license.

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 Michael Bishop's application for an emergency substitute teaching license is denied.

This Final Order is made and entered this 8th day of June 2021.

Kansas State Board of Education



BY: Jim Porter, Chairman
Signed October 22, 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

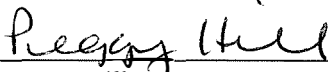
CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of October 2021, a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to:

Michael Bishop
777 N. Silver Springs Blvd #416
Wichita, Kansas 67212

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 Application of
Michael Bishop

21-PPC-06

INITIAL ORDER

The above-captioned case comes on for hearing before the Professional Practices Commission “(Commission)” of the Kansas State Board of Education (“State Board”) upon application for an initial teaching license submitted by Michael Bishop (“Applicant”).

The hearing on this matter was held on April 16, 2021 via Zoom. Appearing for the Commission were chairperson, Jennifer Holt, and members, Aaron Edwards, Kimberly Gilman, Nathan Reed, Stan Ruff, and Caroline Spaulding. The KSDE appeared by and through its attorney, General Counsel, R. Scott Gordon. Applicant did not appear.

FINDINGS OF FACT

1. Applicant applied for an emergency substitute teaching license.
2. In 2011, an Administrative Complaint was filed with the State of Florida Education Practices Commission against the Applicant. The Administrative Complaint alleged the Applicant had grabbed an 11-year old female student by her shirt and pulled her out of a chair. That Administrative Complaint alleged specific statutory and rule violations.
3. On May 15, 2012, Licensee entered into a settlement agreement with the State of Florida Education Practices Commission whereby, among other conditions, both parties agreed that Licensee would receive a formal letter of reprimand.
4. Licensee did not disclose this information on his application.
5. A letter was mailed from the Kansas State Department of Education’s Office of General Counsel to the Applicant’s last known address inviting him to the Commission’s hearing. An email of the same letter was sent to the email address indicated on Applicant’s application.

Within that letter, Applicant was advised that failure to participate in the hearing may result in a default judgment and denial of his application. No response was received from the Applicant to either letter.

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.
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. The Commission finds the basis of the Administrative Complaint filed against the Applicant is severe enough to warrant seeking further information from the Applicant himself.

Unfortunately, the Applicant chose to not participate in the hearing.

THEREFORE the Professional Practices Commission, by vote of 7-0, recommends the Kansas State Board of Education deny the application for an emergency substitute teaching license.

This Initial Order is made and entered this _____ *May*, 2021.

PROFESSIONAL PRACTICES COMMISSION



Jennifer Holt, Chairman

Order signed on _____ *May 12*, 2021.

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 13 day of May, 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:

Michael Bishop
777 N. Silver Springs Blvd #416
Wichita, KS 67212

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