

**BEFORE THE KANSAS STATE BOARD OF EDUCATION**

In the Matter of  
the License of  
Kelli Jo Henderson

18-PPC-24  
OAH No. 19ED00112 ED

**FINAL ORDER**

NOW, on this 14th day of May 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 April 26, 2019. Kelli Jo Henderson appeared by and through her attorney Michael Francis. The Kansas State Department of Education (KSDE) appeared through its attorney, Scott Gordon. After reviewing the settlement agreement reached by Ms. Henderson and KSDE, the Commission voted **8 – 0**, to recommend the Board suspend Kelli Jo Henderson's professional teaching license until the later of August 8, 2019 or until her case is dismissed upon successful completion of her diversion. The Commission further recommends the Kansas State Board of Education require Ms. Henderson to appear before the Professional Practices Commission again if for any reason her diversion is revoked. The Commission further recommends the Kansas State Board of Education publicly censure Ms. Henderson.

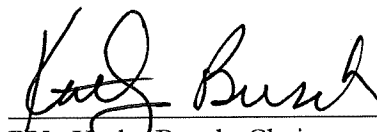
WHEREUPON the Board reviewed the Commission's Initial Order and after considering the presentation by Linda Sieck, Commission Chair, who was available to answer the Board's questions and being otherwise duly advised in the premises, the Board adopted the Commission's findings of fact and conclusions 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 Kelli Jo Henderson's professional teaching license is suspended with public censure as set forth above.

This Final Order is made and entered this 14th day of May 2019.

Kansas State Board of Education



BY: Kathy Busch, Chairman  
Signed May 15, 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 16<sup>th</sup> day of May 2019, a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to:

Michael E. Francis  
434 SW Topeka Blvd.  
Topeka, KS 66603

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 License of  
Kelli Jo Henderson

Case No. 18-PPC-24  
OAH No. 19ED0012 ED

**INITIAL ORDER**

The above-captioned case is before the Professional Practices Commission (Commission) of the Kansas State Department of Education (KSDE) upon the Complaint filed by KSDE regarding the professional teaching license of Kelli Jo Henderson ("Ms. Henderson").

This matter convened on April 26, 2019, on stipulated Findings of Fact and Conclusions of Law. Appearing for the Commission were chairperson, Linda Sieck and members, William Anderson, Aaron Edwards, Jennifer Holt, Nathan Reed, Sylvia Ramirez Stan Ruff, and Maret Schrader. The KSDE appeared by and through its attorney, General Counsel, R. Scott Gordon. Ms. Henderson appeared by and through his attorney Michael Francis.

**Findings of Fact**

1. Ms. Henderson currently holds a Kansas professional teaching license and has been a licensed teacher in Kansas since 2013.
2. Ms. Henderson is employed as a high school drama and debate teacher at Bonner Springs High School.
3. On or between January 1, 2017 and April 18, 2017 by way of 23 separate occasions stole almost seven hundred dollars (\$700.00) worth of merchandise from Wal-Mart.
4. On August 8, 2018, Ms. Henderson pled no contest to two counts of misdemeanor theft. Ms. Henderson was placed on probation.

5. Ms. Henderson had informed her employing school district of the pending criminal charges when she applied for her current position. The Bonner Springs Board of Education employed Ms. Henderson based upon the references and recommendations of her previous employer.

6. Ms. Henderson acknowledges and admits to engaging in professional misconduct. Ms. Henderson has provided evidence of rehabilitation addressing the medical cause(s) of her actions.

7. Ms. Henderson remains on diversion for her criminal charges. Her diversion is currently scheduled to end August 8, 2019.

#### Conclusions of Law

1. Pursuant to K.S.A. 72-8501, the Legislature has declared teaching and school administration to be professions in Kansas with all the similar rights, responsibilities, and privileges accorded other legally recognized professions. An educator is in a position of public trust.

2. Any license issued by the Kansas State Board of Education ("State Board") may be suspended or revoked, or the license holder may be publicly censured by the State Board for misconduct or other just cause. K.A.R. 91-22-1a.

3. By order of the State Board, the Commission shall investigate and conduct hearings pertaining to allegations of misconduct.

4. The Commission finds that Ms. Henderson engaged in professional misconduct by committing a crime involving theft. The Commission finds that discipline is warranted.

5. The Commission recommends the Kansas State Board of Education suspend Ms. Henderson's license until the later of August 8, 2019 or until her case is dismissed upon successful completion of her diversion.

6. The Commission further recommends the Kansas State Board of Education order Ms. Henderson to appear before it again if her diversion is revoked for any reason.

7. The Commission recommends the Kansas State Board of Education publicly censure Ms. Henderson for the misconduct that occurred while she was a licensed teacher.

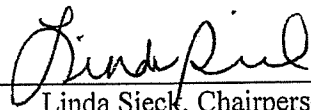
8. Ms. Henderson acknowledges and understands that the Commission can only make recommendations to the State Board.

9. Both KSDE and Ms. Henderson agree to not ask the Commission or the State Board for discipline other than that recommended in this Initial Order.

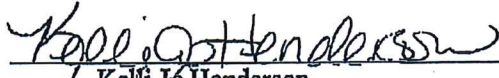
IT IS THEREFORE RECOMMENDED by the Professional Practices Commission to the Kansas State Board of Education that Kelli Jo Henderson's license be suspended and she be censured as described above.

This Initial Order of the Professional Practices Commission 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.

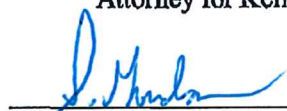
This Initial Order is made and entered this 2 day of May, 2019.

  
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Linda Sieck, Chairperson  
Professional Practices Commission

**AGREED TO AND APPROVED BY:**

  
\_\_\_\_\_  
Kelli Jo Henderson

  
\_\_\_\_\_  
Michael Francis  
Attorney for Kelli Jo Henderson

  
\_\_\_\_\_  
R. Scott Gordon  
General Counsel,  
Kansas State Department of Education

### NOTICE TO LICENSEE

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 2<sup>nd</sup> day of May, 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:

Michael E. Francis  
434 SW Topeka Blvd.  
Topeka, KS 66603

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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Gwen Kramer  
Secretary, Professional Practices Commission