

BEFORE THE KANSAS STATE BOARD OF EDUCATION

In the Matter of
the License
of Ansel Barngrover

16-PPC-10
OAH No. 16ED0029

FINAL ORDER

NOW, on this 10th day of January, 2017, 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, John Bacon, Kathy Busch, Sally Cauble, Deena Horst, Jim McNiece, Ann Mah, Steve Roberts, and Janet Waugh.

WHEREUPON the Professional Practices Commission (Commission) considered the matter on November 18, 2016. Ansel Barngrover appeared not. The Kansas State Department of Education appeared by and through its attorney, Kelli M. Broers. After reviewing the evidence, the Commission voted 6 – 0 to recommend Ms. Barngrover’s voluntary surrender of her emergency substitute license should be accepted and her license revoked.

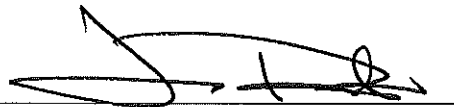
WHEREUPON the Board reviewed the Commission’s Initial Order and after considering the presentation by Linda Sieck, Commission Chairman, who was available to answer the Board’s questions and being otherwise duly advised in the premises, the Board adopted the Commission’s findings of fact and conclusions of law by a vote of 9 – 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 Ansel Barngrover’s emergency substitute license is revoked.

This Final Order is made and entered this 10th day of January, 2016.

Kansas State Board of Education



BY: Jim Porter, Chairman
Signed January 11, 2017

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 13th day of January, 2017, 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:

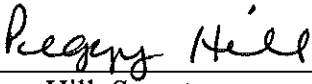
Ansel Barngrover
11747 117th Street
Dodge City, Kansas 67801

And via U.S. Mail to:

Terry Malone
Williams-Malone, P.A.
P.O. Box 39
Dodge City, Kansas 67801
Attorney for Respondent

And via interoffice mail to:

Kelli Broers
Assistant General Counsel
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 License
of Ansel Barngrover

16-PPC-10
OAH No. 16ED0029

INITIAL ORDER

The above-captioned case comes before the Professional Practices Commission (Commission) of the Kansas State Department of Education (KSDE) upon Ansel Barngrover's submission of a voluntary surrender of her emergency substitute teaching license.

The Commission reviewed this matter on November 18, 2016. Appearing for the Commission were chairperson, Linda Sieck, and members, Dorsey Burgess, Vici Jennings, John McKinney, Sylvia Ramirez, and Jessica Snider. Kelli Broers appeared as counsel for KSDE. Ms. Barngrover did not appear.

FINDINGS OF FACT

1. Ansel Barngrover has been licensed as an emergency substitute teacher since 2011.
2. Ms. Barngrover voluntarily surrendered¹ her teaching license as a consequence of her misconduct and subsequent criminal conviction for Driving Under the Influence in violation of K.S.A. 8-1567(a)(2) (alcohol concentration was .08 or greater within three hours of operating the vehicle). The underlying misconduct included Ms. Barngrover driving under the influence with her ten-year-old daughter as a vehicle passenger.

¹ The voluntary surrender is attached hereto.

CONCLUSIONS OF LAW

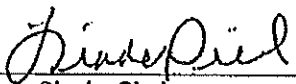
1. A member of the teaching or school administration profession may voluntarily surrender her license to the Commission. The surrender shall be investigated by the Commission. A recommendation shall be made by the Commission to the Kansas State Board of Education (State Board) for disposition of the license. K.A.R. 91-22-5a(e).

2. Under these circumstances, notice of the possible revocation of Ms. Barngrover's license and the opportunity for her to have a hearing are not required to revoke her 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).

THEREFORE the Professional Practices Commission recommends to the State Board by a vote of 6 – 0 that Ansel Barngrover's voluntary surrender of her license should be accepted and her emergency substitute license should be revoked immediately.

This Initial Order is made and entered this November 18, 2016.

PROFESSIONAL PRACTICES COMMISSION



Linda Sieck, Chairperson
Order signed on December 13, 2016.

NOTICE TO LICENSEE/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. The brief must be filed 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.

Any request for oral argument must also be made at that time.

Peggy Hill
Secretary, Kansas State Board of Education
900 SW Jackson Street, Suite 600
Topeka, Kansas 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 13th day of December, 2016, 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:

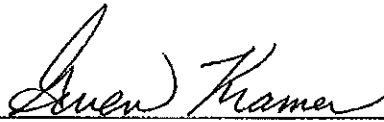
Ansel Barngrover
11747 117th Street
Dodge City, Kansas 67801

And via U.S. Mail to:

Terry Malone
Williams-Malone, P.A.
P.O. Box 39
Dodge City, Kansas 67801
Attorney for Respondent

And via interoffice mail to:

Kelli Broers
Kansas State Department of Education
900 SW Jackson Street, Suite 102
Topeka, Kansas 66612



Gwen Kramer
Secretary, Professional Practices Commission

BEFORE THE KANSAS STATE BOARD OF EDUCATION
PROFESSIONAL PRACTICES COMMISSION

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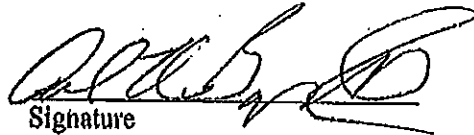
16-PPC-10

VOLUNTARY SURRENDER

I, Ansel Barngrover, hereby acknowledge that in the District Court of Ford County, Kansas, Case No. 16 CR 13, I pleaded no contest to and was convicted of Driving Under the Influence in violation of K.S.A. 8-1567(a)(2) (alcohol concentration was .08 or greater within three hours of operating the vehicle). Additionally, I acknowledge that my ten-year-old daughter was a passenger in the vehicle I was driving under the influence.

I now surrender my emergency substitute teaching license (No. 9211489814) to the Kansas State Board of Education (State Board) for revocation as a consequence of my misconduct and conviction in Case No. 16 CR 13. I understand the Professional Practices Commission (Commission) and the State Board will review all relevant information in this case. I waive any right to a hearing I may have had in this matter. I waive any objection to or contestation of findings made by the Commission or the State Board related to this surrender.

I acknowledge and understand that notice of my license revocation will be provided to all Kansas local education agencies and to the agency responsible for issuing educator licenses/certificates in each of the other states.


Signature

ANSEL KAM BARNGROVER
(Printed or typed name)

11747 117th
(Street address)

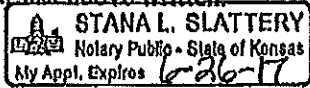
DODGE CITY 67001
(City) (Zip)

VERIFICATION

STATE OF Kansas
COUNTY OF Ford ss:

BE IT REMEMBERED that on this 26th day of October, 2016,
before me, the undersigned, a notary public in and for the county and state aforesaid, came
Ansel Barngrover, who is personally known to me to be the same person who executed the within
instrument and such person duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have set my hand and affixed my official seal the day and
year last above written.



Stana L. Slattery
Notary Public

My appointment expires:
6-26-17, 20