

BEFORE THE KANSAS STATE BOARD OF EDUCATION

In the Matter of  
the License of  
Sarah Frelend

22-PPC-25

**FINAL ORDER**

NOW, on this 10th day of January 2023, the above-captioned matter comes for consideration by the Kansas State Board of Education (Board). Appearing for the Board are Chairwoman, Melanie Haas, and members, Dennis Hershberger, Michelle Dombrosky, Cathy Hopkins, Deena Horst, Jim McNiece, Ann Mah, Jim Porter and Danny Zeck.

WHEREUPON the Professional Practices Commission (Commission) considered the matter on November 18, 2022. Sarah Frelend did not appear. The Kansas State Department of Education appeared through its attorney, Scott Gordon. After reviewing the evidence, the Commission voted **5 – 3**, to recommend the Board suspend the professional teaching license of Sarah Frelend for the remainder of the current contract term which ends May 12, 2023<sup>1</sup>.

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 **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 Sarah Frelend's professional teaching license is suspended for the remainder of the current contract term which ends May 12, 2023.

This Final Order is made and entered this 10th day of January 2023.

Kansas State Board of Education



BY: Melanie Haas, Chairwoman

Signed January 11, 2023

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<sup>1</sup> The Initial Order of the Professional Practices Commission references May 12, 2022. This is a typographical error that is corrected on the Final Order.

**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.

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

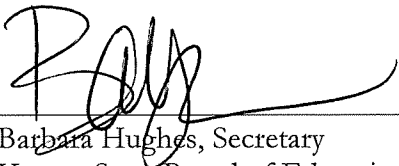
**CERTIFICATE OF SERVICE**

I hereby certify that on this 11 day of January 2023, a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to:

Sarah Freelend  
1921 N. High St.  
Wichita, Kansas 67203

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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Barbara Hughes, Secretary  
Kansas State Board of Education

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

In the Matter of  
the License of  
Sarah Freeland

22-PPC-25

**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 the Complaint filed by Unified School District #509, Sumner County, Kansas, seeking suspension of Sarah Freeland's [Licensee] professional teaching license.

The hearing on this matter was held on November 18, 2022. Appearing for the Commission were chairperson, Jennifer Holt, and members, Aaron Edwards, Eric Filippi, Darrin San Romani, Ricardo Sanchez, Caroline Spaulding, Jamie Wetig and Christy Ziegler, Loren F. Snell, Jr., Administrative Law Judge (ALJ) with the Office of Administrative Hearings (OAH), presiding officer on behalf of the Commission. Neither party appeared. The Complaint and subsequent failure to submit a response was summarized by the Kansas State Department of Education's General Counsel R. Scott Gordon.

**FINDINGS OF FACT**

1. On September 12, 2022, the Board of Education of Unified School District #509, Sumner County, Kansas filed a Complaint with the Commission alleging the Licensee breached her employment contract. The Complaint was signed by seven members of the USD 509 school board. According to the Complaint's certificate of service, it was mailed via certified mail to the Licensee on September 12, 2022. The Complaint included instructions on how and when to request a hearing with the Commission.

2. Licensee did not respond to the Complaint. She filed no answer and did not request a hearing.

### CONCLUSIONS OF LAW AND DISCUSSION

1. K.S.A. 77-520(a) provides, in pertinent part:

If a party fails to attend or participate in a prehearing conference, hearing or other stage of an adjudicative proceeding, the presiding officer may serve upon all parties written notice of a proposed default order, including a statement of the grounds.

2. While the Commission could make its recommendations based solely on the fact that the respondent did not appear at the hearing, the Commission will address the merits of the complaint.

3. K.S.A. 72-2155 provides:

Any license issued by the state board of education or institutions under the state board of regents may be canceled by the state board of education in the manner provided by law, on the grounds of immorality, gross neglect of duty, annulling of written contracts with boards of education without the consent of the board which is a party to the contract, or for any cause that would have justified the withholding thereof when the same was granted.

4. K.S.A. 72-2216 provides:

All contracts shall be binding on both the teacher and board of education of the school district until the teacher has been legally discharged from such teacher's teaching position or until released by the board of education from such contract. Until such teacher has been discharged or released, such teacher shall not have authority to enter into a contract with the board of education of any school district for any period of time covered in the original contract. If upon written complaint, signed by 2/3 of the members of the board of education of the school district, any teacher who is reported to have entered into a contract with another school or board of education without having been released from such former contract, or for other reasons fails to fulfill the provisions of such contract, such teacher, upon being found guilty of such charge at a hearing held before the state board of education, shall have such teacher's license suspended for the remainder of the term for which such contract was made.

5. The respondent has failed or refused to fulfill the provisions of her employment contract with USD 509. Therefore, the respondent is in breach of her contractual commitment to USD 509.

THEREFORE the Professional Practices Commission, by vote of 5-3, recommends the Kansas State Board of Education suspend the Licensee's professional teaching license until May 12, 2022.

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

PROFESSIONAL PRACTICES COMMISSION



Jennifer Holt, Chairperson

Order signed on December 21, 2022.

**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.

Barbara Hughes

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 21st day of December, 2022, 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:

Sarah Freelend  
2728 W. 13<sup>th</sup> St. N #304  
Wichita, Kansas 67203

And via interoffice mail to:

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

And I further certify that I caused a copy of the foregoing to be served electronically to:  
[squesnell91@gmail.com](mailto:squesnell91@gmail.com)



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Cheryl Austin  
Legal Assistant