

BEFORE THE KANSAS STATE BOARD OF EDUCATION

In the Matter of
the License
of Timothy Weis

18-PPC-16

FINAL ORDER

NOW, on this 9th day of October 2018, 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, Janet Waugh, and Ken Willard.

WHEREUPON the Professional Practices Commission (Commission) considered the matter on August 10, 2018. Timothy Weis appeared not. The Kansas State Department of Education appeared through its attorney, Scott Gordon.

After reviewing the evidence, the Commission voted **6 – 0**, to recommend the Board revoke Timothy Weis' professional teaching license and any associated endorsements.

WHEREUPON Mr. Weis appeared before the Kansas State Board of Education. Even though he did not submit a request to be heard, the Board allowed Mr. Weis to speak on his own behalf. Mr. Weis testified that he did not commit the offense (Failure to Report Child Abuse) for which he pled no contest to and of which he was subsequently convicted.

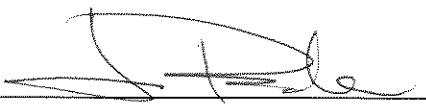
WHEREUPON the Board reviewed the Commission's Initial Order and after considering all of the evidence including Mr. Weis' testimony and the summary of the Professional Practices Commission's findings provided by Commission Chair Linda Sieck, the Board adopted the Commission's findings of fact and conclusions of law by a vote of **8 – 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 Timothy Weis' professional teaching license and any endorsements are hereby revoked.

This Final Order is made and entered this 9th day of October 2018.

Kansas State Board of Education


BY: Jim Porter, Former Chairman
Signed February 1, 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

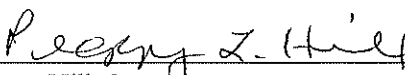
CERTIFICATE OF SERVICE

I hereby certify that on this 1 day of February 2019, a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to:

Timothy Weis
23035 West 391st Street
Fontana, Kansas 66026

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 License of
Timothy Weis

18-PPC-16

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 the Kansas State Department of Education seeking revocation Timothy Weis' professional license.

The hearing on this matter was held on August 10, 2018. Appearing for the Commission were chairperson, Linda Sieck, and members, Nathan Reed, Laura Batson, William Anderson, Eric Filippi, Jennifer Holt and Aaron Edwards. The KSDE appeared by and through its attorney, General Counsel, R. Scott Gordon. Timothy Weis did not appear.

FINDINGS OF FACT

1. Timothy Weis holds a professional teaching license.
2. During the 2014-2015 and 2015-2016 school years, Weis was the principal at Prairie View High School, USD 362 Prairie View.
3. On February 21, 2017, Weis was charged with misdemeanor failing to report abuse as required in violation of K.S.A. 38-2223(a1)(C)(e1) in the District Court of Linn County, Kansas.
4. On January 31, 2018, Weis pled no contest to and was found guilty of the above charge. He was placed on supervised probation for twelve months.
5. The Kansas State Department of Education mailed a copy of the Complaint via certified mail to Timothy Weis' last known address. That letter was signed for by Mr. Weis. Mr. Weis did not submit a written Answer or request a hearing.

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 revoke a license for misconduct or other just cause. K.A.R. 91-22-1a(a)(b).
3. The State Board may revoke the license of an individual who has been convicted of any crime involving a minor. K.A.R. 91-22-1a(a)(2).

4. The State Board may cancel, i.e., revoke, a teaching license on the grounds of immorality. K.S.A. 72-1383; Hainline v. Bond, 250 Kan. 217 (1992). One of the obvious goals of education is to "instill respect for the law." An educator is a role model. Hainline at 224.
5. In Kansas, teaching and school administration are professions with all the similar rights, responsibilities, and privileges accorded other legally recognized professions. K.S.A. 72-2308.
6. Weis' conduct is inconsistent with the commonly held perceptions and expectations of a member of the teaching profession. Such conduct violates the public trust and confidence placed in members of the profession. Weis' conduct demonstrates a lack of fitness to perform the duties and responsibilities of a member of the teaching and school administration professions and is sufficient and just cause to revoke his license.

THEREFORE the Professional Practices Commission, by vote of 6-0, recommends the Kansas State Board of Education revoke the professional license of Timothy Weis based on his failure to report abuse and for not requesting a hearing or submitting an answer in response to the Complaint.

This Initial Order is made and entered this August 10, 2018.

PROFESSIONAL PRACTICES COMMISSION



Linda Sieck, Chairman

Order signed on Sept. 25, 2018.

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 26th day of September, 2018, 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:

Timothy Weis
23035 West 391st Street
Fontana, Kansas 66026

And via interoffice mail to:

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



Gwen Kramer
Secretary, Professional Practices Commission