

**Professional Practices Commission
Kansas State Department of Education
900 S.W. Jackson Street
Topeka, Kansas**

Tuesday, March 29, 2016

1. Call to Order

Chairman Sieck called the meeting to order at 8:43 a.m.

Members Present:

Dorsey Burgess
Justin Henry
John McKinney
Bradley Nicks
Ginger Riddle
Linda Sieck
Jessica Snider

KSDE Staff:

Kelli Broers, Assistant General Counsel
Theresa Coté, PPC Secretary
Gwen Kramer, Incoming PPC Secretary
Diana Stephan, Teacher Licensure Consultant
Nik Stewart, Videographer

Office of Administrative Hearings: Michele Tunnell

2. Announcements:

None

3. Approval of Minutes

It was M/S (Bradley Nicks/Jessica Snider) to approve the minutes of the January 20, 2016 meeting. Motion carried 7-0.

4. Old Business

Ms. Broers shared the Suzette Ramos application is to go to the State Board of Education in April 2016.

5. New Business

Ms. Broers introduced Gwen Kramer who will be assuming the role of PPC Secretary by July 2016.

6. Consideration of Cases Not Requiring a Formal Hearing

- a. Jeremy Way 15-PPC-57

It was M/S (Bradley Nicks/Justin Henry) to recommend to the State Board of Education that Jeremy Way's license be revoked as a consequence of his criminal action. Motion carried 7-0.

- b. Thomas Restivo 16-PPC-02

It was M/S (Bradley Nicks/Jessica Snider) to recommend to the State Board of Education that the license of Thomas Restivo be denied. Motion carried 7-0.

- c. Dustin Wiley 16-PPC-04

Mr. Wiley requested a formal hearing, which has been forwarded to the Office of Administrative Hearings.

- d. Jeana Fleming-Ohmes 16-PPC-06

It was M/S (Bradley Nicks/Jessica Snider) to recommend to the State Board of Education that the voluntary surrender of Jeana Fleming-Ohmes be accepted and her license be revoked. Motion carried 7-0.

7. Hearings

- a. Nichole Barnard 15-PPC-41

Chairman Sieck called the Nichole Barnard hearing to order at 9:00 a.m.

Kelli Broers appeared on behalf of KSDE.

Nichole Barnard appeared in person. Ms. Barnard had appeared before the PPC on October 5, 2015 and the PPC voted to continue Ms. Barnard's hearing until March 29, 2016. Ms. Barnard was sworn in and provided additional testimony and documentation.

The hearing recessed at 9:19 a.m. for deliberations by the Commission. Following deliberations, the hearing reconvened at 9:27 a.m.

It was M/S (Bradley Nicks/Jessica Snider) to recommend to the State Board of Education to issue the license requested by Nichole Barnard. Motion carried 7-0.

Jessica Snider spoke on behalf of PPC. Ms. Snider shared the PPC felt Ms. Barnard had grown a lot since October and her confidence has increased.

- b. Amanda Berens 15-PPC-39

Chairman Sieck called the Amanda Berens hearing to order at 9:30 a.m.

Kelli Broers appeared on behalf of KSDE.

Amanda Berens appeared in person and following being sworn in, provided testimony. Ms. Berens had no objections to exhibits provided by KSDE and the exhibits were admitted.

The hearing recessed at 10:10 a.m. for deliberations by the Commission. Following deliberations, the hearing reconvened at 10:40 a.m.

It was M/S (John McKinney/Jessica Snider) to recommend to the State Board of Education that Amanda Beren's license for renewal be denied as a consequence of her criminal activity. Motion carried 7-0.

c. Madison Beck 15-PPC-48

Chairman Sieck called the Madison Beck hearing to order at 10:58 a.m.

Kelli Broers appeared on behalf of KSDE.

Madison Beck and her attorney, Mark Schoenhofer, appeared in person and provided testimony. Neither KSDE or Ms. Beck's counsel requested witnesses to be sequestered. There were no objections to exhibits provided, thus the exhibits were admitted. The following witnesses were sworn in and provided testimony on behalf of Ms. Beck: Jo Mittman, Science Teacher, Kapaun Mt. Carmel High School, appearing virtually; Jan Van Patten, Licensed Clinical Specialist, appearing virtually; Heidi Hilton, Bates Dance Studio, Manhattan; Robert Knapp, President, Kapaun Mt. Carmel; and Christopher Bloomer, Principal, Kapaun Mt. Carmel High School.

The hearing recessed at 12:09 p.m. for deliberations by the Commission. Following deliberations, the hearing reconvened at 12:16 p.m.

It was M/S (Bradley Nicks/Jessica Snider) to recommend to the State Board of Education to issue the license requested by Madison Beck. Motion carried 7-0.

Recessed for lunch at 12:17 p.m.

d. Gage McGarry 15-PPC-52

Chairman Sieck called the Gage McGarry hearing to order at 1:14 p.m.

Kelli Broers appeared on behalf of KSDE.

Gage McGarry and his attorney, Ted Lickteig, appeared in person and provided testimony. There were no objections to exhibits, thus the exhibits were admitted. Travis Helm, Principal, Rosedale Middle School, Kansas City, Kansas was sworn in and appeared as a witness for Mr. McGarry.

The hearing recessed at 3:33 p.m. for deliberations by the Commission. Following deliberations, the hearing reconvened at 4:11 p.m.

It was M/S (Jessica Noble/Justin Henry) to continue the hearing of Gage McGarry until the Professional Practices Commission's first meeting after the completion of Mr. McGarry's diversion. The Professional Practices Commission also requires two hair follicle tests, one within a week from today and another test within 30 days prior to Mr. McGarry's hearing before the Professional Practices Commission, at the expense of the licensee. Motion carried 5-2, with Dorsey Burgess and Bradley Nicks voting in opposition.

The Commission also suggested for Mr. McGarry to provide additional documentation of his rehabilitation.

Meeting adjourned at 4:14 p.m.

Upcoming Hearings:

April 25 & 26, 2016, starting at 8:30 a.m. on April 25
June 1, 2016