

OKLAHOMA STATE BOARD OF EDUCATION
ADMINISTRATIVE COMPLAINT

STATE OF OKLAHOMA, ex. rel.)	
STATE DEPARTMENT OF EDUCATION)	
)	
Applicant,)	
)	2021-01
vs.)	
)	
ANDEE LANTZ)	
)	
Respondent.)	

FINAL ORDER

On April 24, 2022, the above-entitled matter came on for hearing before the Administrative Law Judge, Gay Abston Tudor pursuant to assignment from the State Board of Education (“the Board”). Now, on this 26th day of May 2022, the Board voted to accept the proposed order to revoke the Oklahoma teaching certificate and certificate number of Respondent, Andee Lantz (“Lantz”).

STATEMENT OF FACTS

1. Lantz holds an Oklahoma teaching certificate, certificate number 429638 (“the Certificate”).
2. Lantz is certified in the following areas: Elementary Education, Grades 1 through 8; Mild-Moderate Disabilities, Grades Pre-K through 12; Severe-Profound/Multiple Disabilities, and Pre-K through 12.
3. Lantz was most recently employed a teacher and coach at Carnegie Public School (the “District”).

4. On or about December 18, 2020, Lantz was charged in Caddo County with one count of Rape-Second Degree in violation of 21 O.S. § 1111(A)(8), a Felony, by having sexual intercourse with a sixteen-year-old while he was a student (“Student”) at the school where Lantz was employed. *See* Caddo County Information (“Information”), attached to original Application Exhibit “A”.

5. As described in the Affidavit for Arrest Warrant Document, filed in Caddo County on December 18, 2020, the District Superintendent spoke with Lantz who admitted to having sex with the Student at least two times. *See* Affidavit for Arrest Warrant (“Affidavit”), attached to original Application as Exhibit “B”.

6. According to the Affidavit, law enforcement spoke with the Student on November 19, 2020. The student claimed that Lantz sent him a friend request on Snapchat, they started texting, Lantz asked him to “ride around”, and they eventually went back to Lantz’ residence where they had sex. *Id.*

7. On January 28, 2021, the Applicant, Oklahoma State Department of Education, filed the Application. The Application was sent to Lantz, via certified mail, on January 27, 2021.

8. Notice of the hearing on the Application scheduled for April 14, 2022, was sent to Lantz, via certified mail, on March 14, 2022. *See* Notice of Hearing, on file herein. Further, Applicant sent its proposed witness and exhibits list, with exhibits, to Respondent via certified mail on March 30, 2022. *See* Witness and Exhibits List, on file herein.

9. Respondent failed to respond to any of the above pleadings and did not furnish any witness or exhibits lists within the time frame provided by OAC 210:1-5-6.

10. On April 24, 2022, the above-entitled matter came on for hearing before the Administrative Law Judge, Gay Abston Tudor pursuant to assignment from the Board. Respondent did not appear at the hearing.

CONCLUSIONS OF LAW

1. The Board is vested with the general authority to provide for the health and safety of schoolchildren while under the jurisdiction of school authorities. *See* 70 O.S. § 3-104(17).

2. That Title 70 O.S. § 3-104(6) provides:

The supervision of the public school system of Oklahoma shall be vested in the State Board of Education and, subject to limitations otherwise provided by law, the State Board of Education shall...[h]ave authority in matters pertaining to the licensure and certification of persons for instructional, supervisory and administrative positions and services in the public schools of the state...and shall formulate rules governing the issuance and revocation of certificates.

3. The Oklahoma Administrative Procedures Act, 75 O.S. § 250 *et seq.*, governs the State Board's administrative actions relating to teacher disciplinary matters. *See* 75 O.S. § 250.3(3). More specifically, 75 O.S. § 314(C)(2) provides:

If the agency finds that public health, safety, or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action. These proceedings shall be promptly instituted and determined.

See 75 O.S. § 314.

4. Further, 75 O.S. § 314.1 provides:

As authorized by or pursuant to law, if an agency finds that the public health, safety, or welfare imperatively requires emergency action, has promulgated administrative rules which provide for such action and incorporates a finding regarding the emergency in its order, emergency actions may be ordered pending the final outcome of proceedings instituted.

...

5. The Board's rules in OAC 210:1-5-6(e) provides:

Pursuant to 75 O.S. § 314.1, in the event the State Board of Education finds that public health, safety, or welfare imperatively requires emergency action, the State Board of Education may issue an emergency order summarily suspending a certificate pending an individual proceeding for revocation or other action. Such proceedings shall be promptly instituted and determined. Such an order shall include specific findings of fact specifying the grounds for the emergency action. Within three (3) business days of the issuance of the order by the Board, a copy of the order shall be sent to the holder of the certificate via certified or registered mail, delivery restricted to the certificate holder, with return receipt requested.

6. Oklahoma law and Board rules provide that a certificate shall be revoked for a “willful violation of a rule or regulation of the State Board of Education, a willful violation of any federal or state law. . . . or for other proper cause.” *See* 70 O.S. § 6-189(F); *see also* OAC 210:1-5-6(b).

7. Further, the Board's rules provide that “[t]eachers are charged with the education of the youth of this State. In order to perform effectively, teachers must demonstrate a belief in the worth and dignity of each human being, recognizing the supreme importance of the pursuit of truth, devotion to excellence, and the nurture of democratic principles.” *See* OAC 210:20-29-1(b).

8. Through their conduct, teachers must demonstrate the respect of their students, such being a responsibility that is inherent in the profession. *See* OAC 210:20-29-2.

9. In addition, a teacher shall “strive to help each student realize his or her potential as a worthy and effective member of society.” *See* OAC 210:20-29-3. In fact, in fulfillment of the obligations to the student, a teacher shall:

- a. make reasonable effort to protect the student from conditions harmful to learning or to health and safety
 - b. not intentionally expose the student to embarrassment or disparagement.
- Id.*

10. Additionally, the Board's rules, at OAC 210:20-29-4, provide:

- a. The teaching profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.
- b. In order to assure that the quality of the services of the teaching profession meets the expectations of the State and its citizens, the teacher shall exert every effort to raise professional standards, fulfill professional responsibilities with honor and integrity, promote a climate that encourages the exercise of professional judgment, achieve conditions which attract persons worthy of the trust to careers in education, and assist in preventing the practice of the profession by unqualified persons.

11. Board rules expressly state that “[i]n fulfillment of the obligation to the student, the teacher shall not use professional relationships with students for private advantage.” *See* OAC 210:20-29-3.

12. It has been held by Oklahoma courts that “a teacher...in the public school system is regarded by the public and pupils in the light of an exemplar, whose words and actions are likely to be followed by the children coming under her care and protection.” *Vaughn v. Board of Bar Examiners for the Oklahoma Bar Association*, 1988 OK 87, 759 P.2d 1026, 1030. The teaching profession, not unlike the legal profession, imposes a code of ethics upon its members. *Id.*

13. That based upon the information and evidence presented, and the foregoing authority, proper cause exists to suspend the Teaching Certificate and certification number 429638 of Andee Lantz.

14. Board rules further provide that upon the filing of an application to suspend and/or revoke a certificate, the Board, at its discretion, may utilize a hearing officer to conduct the hearing and such individual shall be appointed by the Chairperson of the Board. *See* OAC 210:1-5-6(f)(1).

15. Lantz was properly served with notice of the hearing on the Application.

16. Lantz failed to appear at the hearing on the Application. Board rules state that if the holder of the certificate fails to appear at the scheduled hearing, the Board of hearing officer shall

hold the party in default and issue an order sustaining the allegations set forth in the Application for Revocation. OAC 210:1-5-6(G)(1)(C).

WHEREFORE, based on the evidence presented and considered, in light of the foregoing, the teaching certificate and certificate number of Respondent, Andee Lantz, # 429638 is hereby revoked, effective May 26, 2022.

IT IS SO ORDERED.



Joy Hofmeister
Chairperson of Oklahoma State Board of Education