



# Idaho Professional Standards Commission

## **MINUTES OF THE IDAHO PROFESSIONAL STANDARDS COMMISSION (PSC)**

JRW West Conference Room - 700 W State Street, First Floor

### **THURSDAY, SEPTEMBER 19, 2024**

#### **Welcome and Announcements**

Commission Chair Angela Gillman called the meeting to order at 9:00 AM

#### Commission Members Present:

Vanessa Anthony-Stevens, Stephanie Brodwater, Ryan Cantrell, Kristi Enger, Erika Estes, Angela Gillman, Melissa Green, Stacey Jensen, Ramona Lee, Katie Mathias, Amy McBride, Jamee Nixon, Marci Nuxoll, Karen Pyron, MeLissa Rose, Alejandro Zamora, Ryan Cantrell (arrived at 9:20 AM)

#### Commission Members Absent:

Lance Harrison, Jonelle Warnock

#### **Agenda Review/Approval M/S (Lee/Brodwater)**

I move to approve the September 19-20, 2024, agenda as written.

*Voice vote. Motion carried.*

#### **April 4-5, 2024, Minutes Revision for Approval M/S (Pyron/Nuxoll)**

I move to approve the revised minutes from the April 4-5, 2024, meeting of the PSC as written.

*Voice vote. Motion carried.*

#### **June 20-21, 2024, Minutes Review/Revision/Approval M/S (Enger/Rose)**

I move to approve the minutes from the June 20-21, 2024, meeting of the PSC as written.

*Voice vote. Motion carried.*

#### **Commissioner Training**


Professional Standards Commission Administrator Cina Lackey and Educator Ethics Coordinator Annette Schwab provided a PSC orientation and reviewed the ethics complaint process for the 2024-2025 PSC year.

Lackey mentioned that printed copies of the Code of Ethics for Idaho Professional Educators can be provided to school districts upon request. The Code of Ethics is accessible on the PSC website and is mailed with out-of-state, non-traditional, interim, and alternative authorization certificates.

A commissioner inquired if traditional certificate holders received the Code of Ethics as well. Lackey mentioned that because Idaho mandates their universities to incorporate the Code of Ethics into educator preparation programs educators are expected to have a solid grasp of it upon graduation.

Stacey Jensen asked if the Code of Ethics is available to the universities in the east end of Idaho. Lackey mentioned that the documents are accessible electronically. There is a new ethics initiative aimed at increasing awareness of the Code of Ethics through professional development. The goal is to ensure that educators understand Idaho's ethical standards, thereby safeguarding both teachers and students.

## **PSC Annual Report**

Cina Lackey provided an overview of the 2023-2024 PSC Annual Report ([LINK](#) ).

Karen Pyron asked about the result of the special education director preparation clarification request that was submitted to the Office of the State Board. Cina Lackey answered that Jenn Thompson, Chief Policy and Government Affairs Officer, will guide the individual educator preparation providers.

Katie Mathias stated that she has not received guidance from Thompson. Lackey suggested that Mathias should email Thompson directly to ask for guidance.

Alejandro Zamora asked if data was collected on how long educators had been certified at the time of an ethics complaint. Lackey responded that there is insufficient data from educators who have held certification in other states.

## **Committee Work**

Commission Chair Angela Gillman resolved the full Commission into committee work at *11:01 AM*

## **FRIDAY, SEPTEMBER 20, 2024**

### **Welcome and Announcements**

Commission Chair Angela Gillman called the meeting to order at *9:02 AM*

#### Commission Members Present:

Vanessa Anthony-Stevens, Stephanie Brodwater, Ryan Cantrell, Kristi Enger, Erika Estes, Angela Gillman, Melissa Green, Stacey Jensen, Ramona Lee, Katie Mathias, Amy McBride, Jamee Nixon, Marci Nuxoll, Karen Pyron, Melissa Rose, Alejandro Zamora

#### Commission Members Absent:

Lance Harrison, Jonelle Warnock

### **Office of the State Board Report**

Educator Effectiveness Program Manager of the Office of the State Board of Education, Katie Shoup, provided a report and introduced the new Executive Director of the State Board of Education, Josh Whitworth.

Shoup provided updates on the latest programs and projects that have been enhanced under the guidance of Whitworth. The Office of the Board has teamed up with the Idaho Association of School Administrators, the educator preparation providers, and the Idaho Rural Schools Association to offer additional support to new administrators. This support includes professional development opportunities and initiatives to boost recruitment to administrator preparation programs. The aim is to supplement the ongoing efforts and extend support to the new administrators.

Whitworth introduced himself and gave a short introduction on his background and his vision for the Office of the Board under his leadership.

Shoup continued that Idaho is introducing a new state-sponsored staff evaluation platform by the vendor 2GnoMe, which will be launched this fall. Fifty (50) Local Education Agencies (LEAs) have successfully onboarded, and others are welcome to join at any time. The platform is free for LEAs to use. Additionally, the Department of Education's Director of Content and Curriculum, Megan Wonderlich, and the Curricular Materials Review Coordinator, Summer Cook, are spearheading the mentoring and development platform. They are working on populating the platform with content and mentors that will

be accessible to LEAs. Furthermore, LEAs can utilize the platform to host their own professional development programs and assign their own mentors to support their mentees. Wonderlich and Cook will be able to provide further information.

The Rural and Underserved Educator Incentive program application deadline is September 30, 2024. This program offers direct payment of educational loans or reimbursements for eligible educators' educational expenses, such as additional degrees, advanced degrees, career technical certifications, and other related expenses. Eligible educators working full-time in rural or Title 1 schools with a standard certificate could receive up to \$12,000 over four (4) years. This incentive can be used for federal loans and to advance their education.

The Educator Preparation Program evaluations are scheduled for Idaho State University, Boise State University, University of Idaho, and Brigham Young University-Idaho this spring. These evaluations are overdue due to the implementation of a new evaluation process. The Office of the Board will be conducting a thorough review to ensure that the new process complies with all state requirements. The first state review is expected to take place by fall 2025.

The Educator Registered Apprentice Program has recently introduced K-12 and Special Education programs. This initiative follows an employer-driven model that integrates on-the-job learning with relevant instruction, enhancing the skills and wages of apprentices. There are around nine (9) active apprentices registered for this fall.

More information on these topics can be found on the Idaho State Board of Education website.

### **Consideration of Final Orders/Stipulation Adoptions**

Deputy Attorney General Kyle Grigsby presented the following cases.

#### Case 22335 M/S (Zamora/Jensen)

In case number 22333, concerning the certificate of Matthew Fisher, I move that the PSC accept the proposed stipulation as written and enter the accompanying consent order, which will be effective once signed.

#### *Roll call:*

Vanessa Anthony-Stevens- Yes, Stephanie Brodwater- Yes, Ryan Cantrell- Recuse, Kristi Enger- Yes, Erika Estes- Yes, Angela Gillman- Yes, Melissa Green- Yes, Stacey Jensen- Yes, Ramona Lee- Recuse, Katie Mathias- Yes, Amy McBride- Recuse, Jamee Nixon- Recuse, Marci Nuxoll- Yes, Karen Pyron- Yes, Melissa Rose- Recuse, Alejandro Zamora- Yes

*Motion carried.*

#### Case 22316 M/S (Enger/Brodwater)

In case number 22316, concerning the certificate of Sheila Frei, I move that the PSC accept the proposed stipulation as written and enter the accompanying consent order, which will be effective once signed.

#### *Roll call:*

Vanessa Anthony-Stevens- Yes, Stephanie Brodwater- Yes, Ryan Cantrell- Recuse, Kristi Enger- Yes, Erika Estes- Yes, Angela Gillman- Yes, Melissa Green- Yes, Stacey Jensen- Yes, Ramona Lee- Recuse, Katie Mathias- Yes, Amy McBride- Recuse, Jamee Nixon- Recuse, Marci Nuxoll- Yes, Karen Pyron- Yes, Melissa Rose- Recuse, Alejandro Zamora- Yes

*Motion carried.*

Case 22335 M/S (Pyron/Jensen)

In case number 22335, concerning the certificate of Matthew Fisher, I move that the PSC accept the proposed stipulation as written and enter the accompanying consent order, which will be effective once signed.

*Roll call:*

Vanessa Anthony-Stevens- Yes, Stephanie Brodwater- Yes, Ryan Cantrell- Recuse, Kristi Enger- Yes, Erika Estes- Yes, Angela Gillman- No, Melissa Green- Yes, Stacey Jensen- Yes, Ramona Lee- Recuse, Katie Mathias- Yes, Amy McBride- Recuse, Jamee Nixon- Recuse, Marci Nuxoll- Yes, Karen Pyron- Yes, MeLissa Rose- Recuse, Alejandro Zamora- Yes

*Motion carried.*

Case 22402 M/S (Jensen/Brodwater)

In case number 22402, concerning the certificate of Cassandra Kilpatrick, I move that the PSC enter a final order that is effective when signed, incorporating as findings of fact the allegations in the administrative complaint, adopting any counts alleged by the Chief Certification Officer as conclusions of law, and imposing the discipline requested by the Chief Certification Officer in the Request for Relief in the Administrative Complaint, which is revocation.

*Roll call:*

Vanessa Anthony-Stevens- Yes, Stephanie Brodwater- Yes, Ryan Cantrell- Recuse, Kristi Enger- Yes, Erika Estes- Yes, Angela Gillman- Yes, Melissa Green- Yes, Stacey Jensen- Yes, Ramona Lee- Recuse, Katie Mathias- Yes, Amy McBride- Recuse, Jamee Nixon- Recuse, Marci Nuxoll- Yes, Karen Pyron- Yes, MeLissa Rose- Recuse, Alejandro Zamora- Yes

*Motion carried.*

Case 22328 M/S (Enger/Jensen)

In case number 22328, concerning the certificate of Joseph Swainston, I move that the PSC enter a final order that is effective when signed, incorporating as findings of fact the allegations in the administrative complaint, adopting any counts alleged by the Chief Certification Officer as conclusions of law, and imposing the discipline requested by the Chief Certification Officer in her Request for Relief in the Administrative Complaint, which is revocation.

*Roll call:*

Vanessa Anthony-Stevens- Yes, Stephanie Brodwater- Yes, Ryan Cantrell- Recuse, Kristi Enger- Yes, Erika Estes- Yes, Angela Gillman- Yes, Melissa Green- Yes, Stacey Jensen- Yes, Ramona Lee- Recuse, Katie Mathias- Yes, Amy McBride- Recuse, Jamee Nixon- Recuse, Marci Nuxoll- Yes, Karen Pyron- Yes, MeLissa Rose- Recuse, Alejandro Zamora- Yes

*Motion carried.*

Case 22401 M/S (Enger/Nuxoll)

In case number 22401, concerning the certificate of Patrick Tully, I move that the PSC enter a final order that is effective when signed, incorporating as findings of fact the allegations in the administrative complaint, adopting any counts alleged by the Chief Certification Officer as conclusions of law, and imposing the discipline requested by the Chief Certification Officer in her Request for Relief in the Administrative Complaint, which is suspension for a period of nine (9) months, commencing October 4, 2023, the date of Tully's breach of contract.

*Roll call:*

Vanessa Anthony-Stevens- Yes, Stephanie Brodwater- Yes, Ryan Cantrell- Recuse, Kristi Enger- Yes, Erika Estes- Yes, Angela Gillman- Yes, Melissa Green- Yes, Stacey Jensen- Yes, Ramona Lee- Recuse, Katie Mathias- Yes, Amy McBride- Recuse, Jamee Nixon- Recuse, Marci Nuxoll- Yes, Karen Pyron- Yes, MeLissa Rose- Recuse, Alejandro Zamora- Yes

*Motion carried.*

#### Case #22408 M/S (Brodwater/Zamora)

In case number 22408, concerning the certificate of Justin Zarian, I move that the PSC enter a final order that is effective when signed, incorporating as findings of fact the allegations in the administrative complaint, adopting any counts alleged by the Chief Certification Officer as conclusions of law, and imposing the discipline requested by the Chief Certification Officer in the Request for Relief in the Administrative Complaint, which is revocation.

*Roll call:*

Vanessa Anthony-Stevens- Yes, Stephanie Brodwater- Yes, Ryan Cantrell- Recuse, Kristi Enger- Yes, Erika Estes- Yes, Angela Gillman- Yes, Melissa Green- Yes, Stacey Jensen- Yes, Ramona Lee- Recuse, Katie Mathias- Yes, Amy McBride- Recuse, Jamee Nixon- Recuse, Marci Nuxoll- Yes, Karen Pyron- Yes, MeLissa Rose- Recuse, Alejandro Zamora- Yes

*Motion carried.*

#### **Voluntary License Surrenders Update**

Deputy Attorney General Kyle Grigsby provided an update on the recent voluntary license surrenders of Robert B. Clark, Shenise Williams, and McKenna Kindred . Ethics cases had been opened against these individuals and each one surrendered their Idaho license, in lieu of proceeding with the investigation and disciplinary process.

Alejandro Zamora asked what happens if an individual voluntarily surrenders their certificates and then attempts to teach elsewhere. Annette Schwab informed him that surrenders are input into the national database so that all states can be made aware of a surrendered license. Individuals who surrender their certificates cannot teach or receive certification again in Idaho.

#### **Committee Reports**

##### Executive Committee Report (APPENDIX A)

Angela Gillman provided the Executive Committee Report.

##### Recommendations Committee Report (APPENDIX B)

Kristi Enger provided the Recommendations Committee Report.

At Cina Lackey's request, Kyle Grigsby and Annette Schwab provided input on editing the Breach of Contract Guidance for Educators. The key question was whether the PSC determines or recommends disciplinary actions. Grigsby, Lackey, and the Commission reached a consensus that the PSC finds probable cause for disciplinary action.

##### Breach of Contract Guidance Document for Educators M/S (Enger/Rose)

I move to recommend the Breach of Contract Guidance Document for Educators for distribution to school districts and charters.

*Voice vote. Motion carried.*

## **Member Reports**

Karen Pyron provided a report from Idaho School Boards Association (ISBA).

The ISBA convention will take place in Boise from November 6-8, 2024, the focus being the 2025 ISBA resolutions. Sixteen (16) different resolutions will be reviewed, covering a wide range of topics from local control for school safety to funding protection for school districts. This is a significant increase from last year when there were only seven (7) resolutions.

Due to the solutions being submitted by individual school districts, the titles often reflect the opinion of the specific district that submitted the suggested resolution. For instance, resolution number 15, titled "funding for special education", varies in compatibility with Superintendent Critchfield's proposed funding adjustment regarding students who are in Special Education.

Pyron passed out a copy of the proposed 2025 resolutions and an article from Idaho Education News.

Vanessa Anthony-Stevens provided a report from Idaho Indian Education Committee (IIEC).

The IIEC is awaiting the hire of a new Director of Indian Education at the Department.

Angela Gillman provided a report from Idaho Education Association (IEA).

The Center for Teaching and Learning at the Albion Center for Professional Development, at Idaho State University, is offering free professional development classes for educators. These free courses will be available until the end of December.

Over 150 educators will gather in January to discuss education priorities for 2025. On January 19, 2024, there will be an IEA Lobby Training and Dinner from 3:00 PM to 8:00 PM with Governor Brad Little and other special guests. To participate in the discussion, one must first become a member and then contact IEA Headquarters Associate Kimi Weaver for more information. The deadline to register is December 23, 2024.

## **Travel Reimbursement Training**

Professional Standards Commission Coordinator Helen Henderson provided training on travel reimbursements during the 2024-2025 PSC year.

Cina Lackey announced that Ryan Cantrell is leaving the Department of Education and thanked Cantrell for his hard work and dedication to the PSC during his time on the commission. Cantrell expressed his pride in the PSC's accomplishments and its positive impact on educators and students.

## **Adjourn M/S (Pyron/Jensen)**

Meeting adjourned at 10:46 AM



# Idaho Professional Standards Commission

## **APPENDIX A**

### **Executive Committee Meeting Report**

**650 W State Street, Boise; Lewis & Clark Conference Room, Second Floor**

**Thursday, September 19, 2024**

#### **Members present:**

Angela Gillman, Stephanite Brodwater, Ryan Cantrell, Stacey Jensen, Ramona Lee, Amy McBride, Jamee Nixon, Melissa Rose, Ryan Cantrell (arrived at 11:45 AM)

#### **Staff present:**

Annette Schwab, Tory Del Toro, Kyle Grigsby

#### **M/S (Lee/Rose)**

Under Idaho Code 74-206 (1)(d), the Executive Committee of the Professional Standards Commission was called into Executive Session to consider investigatory records exempt from disclosure under Chapter 1 of Title 74, Idaho Code. (11:16 AM)

#### **Roll Call :**

Gillman – Yes, Brodwater – Yes, Cantrell – Absent, Jensen – Yes, Lee – Yes, McBride – Yes, Nixon – Yes, Rose – Yes

#### **M/S (Rose/Nuxoll)**

The Executive Committee of the Professional Standards Commission was called into Open Session, after entering Executive Session to consider investigatory records exempt from disclosure under Chapter 1 of Title 74 Idaho Code. (3:43 PM)

#### **Roll Call :**

Gillman – Yes, Brodwater – Yes, Cantrell – Yes, Jensen – Yes, Lee – Yes, McBride – Yes, Nixon – Yes, Rose – Yes

#### **M/S (Rose/McBride)**

In case number 22435, I move that the Executive Committee does not find probable cause to impose discipline. (3:52 PM)

*Motion carried.*

#### **M/S (McBride/Nuxoll)**

In case number 22421, I move that the Executive Committee find probable cause and recommend a letter of reprimand with the condition of completing an approved sexual harassment course. (4:09 PM)

*Motion failed.*

#### **M/S (Lee/Nixon)**

In case number 22421, I move that the Executive Committee find probable cause and recommend a letter of reprimand with the conditions of completing an approved sexual harassment course and an approved boundaries course. (4:13 PM)

*Motion carried.*

M/S (Lee/Brodwater)

In case number 22419, I move that the Executive Committee find probable cause and recommend indefinite suspension pending completion of an approved behavior management course, an approved functional behavior assessment course, and an approved behavior intervention plan course. (4:15 PM)  
*Motion carried.*

M/S (Lee/Rose)

In case number 22442, I move that the Executive Committee does not find probable cause to impose discipline. (4:19 PM)  
*Motion carried.*

M/S (Brodwater/Lee)

In case number 22434, I move that the Executive Committee finds probable cause and recommend revocation. (4:22 PM)  
*Motion carried.*

M/S (Brodwater/Nixon)

In case number 22422, I move that the Executive Committee find probable cause and recommend indefinite suspension pending completion of an approved functional behavior assessment course, an approved behavior management course, and an approved behavior intervention plan course. (4:24 PM)  
*Motion carried.*

M/S (Nixon /Jensen)

In case number 22436, I move that the Executive Committee does not find probable cause to impose discipline. (4:26 PM)  
*Motion carried.*

M/S (McBride/Rose)

In case number 22426, I move that the Executive Committee finds probable cause and recommend a letter of reprimand. (4:28 PM)  
*Motion carried.*

M/S (Lee/Cantell)

In case number 22437, I move that the Executive Committee does not find probable cause to impose discipline. (4:29 PM)  
*Motion carried.*

M/S (Rose/Nixon)

In case number 22427, I move that the Executive Committee finds probable cause and recommend permanent revocation. (4:30 PM)  
*Motion carried.*

M/S (Lee/Nixon)

In case number 22430, I move that the Executive Committee finds probable cause and recommends a letter of reprimand. (4:31 PM)  
*Motion carried.*

M/S (McBride/Lee)

In case number 22438, I move that the Executive Committee finds probable cause and recommend



revocation. (4:38 PM)

*Motion carried.*

M/S (Lee/Nixon)

In case number 22431, I move that the Executive Committee finds probable cause and recommend a letter of reprimand. (4:40 PM)

*Motion carried.*

M/S (Nuxoll/McBride)

In case number 22420, I move that the Executive Committee find probable cause and recommend the conditions of an approved sexual harassment course and an approved boundaries course. (4:44 PM)

*Motion failed.*

M/S (Brodwater/Rose)

In case number 22420, I move that the Executive Committee find probable cause and recommend indefinite suspension pending completion of an approved sexual harassment course and an approved boundaries course. (4:49 PM)

*Motion carried.*

M/S (McBride/Nuxoll)

In case number 22433, I move that the Executive Committee finds probable cause and recommend indefinite suspension pending the completion of an approved boundaries course and an approved behavior management course. (4:52 PM)

*Motion failed.*

M/S (Brodwater/Lee)

In case number 22433, I move that the Executive Committee find probable cause and recommend a fixed suspension of two years with the conditions of completion of an approved classroom management course and an approved boundaries course prior to reinstatement. (5:03 PM)

*Motion carried.*

M/S (Brodwater/Nixon)

In case number 22428, I move that the Executive Committee finds probable cause and recommend permanent revocation. (5:11 PM)

*Motion carried.*

M/S (Nuxoll/Rose)

In case number 22425, I move that the Executive Committee does not find probable cause to impose discipline. (5:12 PM)

*Motion carried.*

M/S (Rose/Brodwater)

In case number 22423, I move that the Executive Committee find probable cause and recommend a letter of reprimand. (5:13 PM)

*Motion carried.*

M/S (McBride/Jensen)

In case number 22429, I move that the Executive Committee finds probable cause and recommend a letter of reprimand. (5:14 PM)

*Motion carried.*

M/S (Nuxoll/Nixon)

In case number 22424, I move that the Executive Committee finds probable cause and recommend a letter of reprimand. (5:15 PM)

*Motion carried.*

M/S (Brodwater/Rose)

In case number 22432, I move that the Executive Committee find probable cause and recommend revocation. (5:16 PM)

*Motion carried.*

M/S (Nixon/Rose)

In case number 22441, I move that the Executive Committee does not find probable cause to impose discipline. (5:21 PM)

*Motion carried.*

M/S (Brodwater/Rose)

I move that the Executive Committee bring the discussion regarding proposed amendments to IDAPA 08.02.02.076, Code of Ethics for Idaho Professional Educators to the December PSC meeting for discussion. (5:24 PM)

*Motion carried.*



## Idaho Professional Standards Commission

### **APPENDIX B**

#### **Recommendations Committee Meeting Report**

700 W State Street, Boise; JRW West Conference Room

**Thursday, September 19, 2024**

#### **Welcome and Announcements**

Kristi Enger brought the committee to order at 11:42 AM

#### Members present:

Vanessa Anthony-Stevens, Kristi Enger, Erika Estes, Melissa Green, Katie Mathias, Karen Pyron, Alejandro Zamora

#### Members absent:

Lance Harrison, Jonelle Warnock

#### **School Safety Presentation**

Mike Munger, School Safety and Security Manager at the Office of the State Board of Education provided a school safety presentation.

Discussion ensued regarding how the PSC (the full Commission) might partner in the effort to provide training and/or discussion guides for local education agencies to consider their actions in the event of unsafe-school events. More discussion will ensue in future convenings of this committee.

#### **Breach of Contract Guidance for Educators**

The Recommendations Committee reviewed and provided edits to the draft Breach of Contract Guidance for Educators.

One edit was highlighted to allow Kyle Grigsby and Annette Schwab to weigh in on wording. The guidance document will be presented to the full Commission for approval on Friday, September 20, 2024.

#### **Recommendations from Committee**

Cina Lackey reminded the committee that the PSC only has recommendation authority to the State Board of Education (Board).

In April 2024, the committee recommended that guidance regarding requirements for the Director of Special Education endorsement be provided to educator preparation programs. The request was provided by PSC staff to Jenn Thompson, Chief Policy and Governmental Affairs Officer for the Board, in April 2024. Refer to Idaho Administrative Procedures Act 08.02.02, and the June 2024 PSC minutes and Administrative Report, for more context regarding this issue.