

**IDAHO PROFESSIONAL STANDARDS COMMISSION**

In the matter of the certificate of:

Melissa Young,

Respondent

Case No. 22103

**STIPULATION**

**BACKGROUND**

The Professional Standards Commission received an allegation of unethical conduct concerning Melissa Young. Following an investigation, the Executive Committee of the Professional Standards Commission reviewed the information before it and determined that probable cause exists for initiating an administrative action against Melissa Young's certificate. The Executive Committee has recommended the following Stipulation.

**STIPULATION**

1. This is an agreement (Stipulation) between Melissa Young (Ms. Young) and the Executive Committee (the Executive Committee) of the Professional Standards Commission (the Commission).

2. After Ms. Young and the Executive Committee agree to and sign this Stipulation, the Stipulation must be approved by the Commission, and the Commission must enter the attached consent order, before this Stipulation resolves the matter.

3. A signed copy of this Stipulation may be submitted via mail or fax to:

Professional Standards Commission  
650 West State Street, 2nd Floor  
P.O. Box 83720  
Boise, ID 83720-0027  
Fax: (208) 334-2228 (Attn: Professional Standards Commission)

**A. STIPULATED FACTS AND LAW**

4. The Commission regulates teacher certification in Idaho.

5. Ms. Young holds the following certificate and endorsement issued under the authority of the Idaho State Board of Education:

- a. Standard Instructional Certificate with an All Subjects endorsement (K-8), effective September 1, 2018, through August 31, 2023.

6. Ms. Young was a 4<sup>th</sup> Grade Teacher at Rendezvous Upper Elementary School in Driggs, Idaho for the 2020-2021 school year.

7. On or about December 18, 2020, a school day, Respondent brought glass bottles of wine to the school as gifts for her educator friends.

8. The bottles of wine were individually wrapped in bags with tissue paper.

9. The bottles were stored at the front of her classroom by the teacher's desk.

10. Respondent subsequently allowed her Fourth-Grade students to deliver these bottles of wine to other educators at Rendezvous Upper Elementary during school hours.

11. The Fourth-Grade students were told and/or informed that they were delivering alcohol and Respondent left them unattended and unsupervised as they delivered the substance.

12. The Executive Committee determined that probable cause exists for initiating an administrative action against Ms. Young for violating the following laws and rule governing teacher certification.

- a. Ms. Young's conduct or course of conduct willfully violated a principle of the code of ethics that was adopted by the Idaho State Board of Education. Idaho Code § 33-1208(1)(j) ("Willful violation of any professional code or standard of ethics or conduct, adopted by the state board of education"). Specifically, Ms. Young violated Code of Ethics Principle III. (Idaho Admin. Code r. 08.02.02.076.04(b))("A professional educator refrains from the abuse

of alcohol or drugs during the course of professional practice. Unethical conduct includes, but is not limited to: b. Being on school premises or at any school-sponsored activity, home or away, involving students while possessing, using, or consuming alcohol.”).

- b. Ms. Young’s conduct or course of conduct willfully violated a principle of the code of ethics that was adopted by the Idaho State Board of Education. Idaho Code § 33-1208(1)(j) (“Willful violation of any professional code or standard of ethics or conduct, adopted by the state board of education”). Specifically, Ms. Young violated Code of Ethics Principle VIII. (Idaho Admin. Code r. 08.02.02.076.09(c)) (“A professional educator fulfills all terms and obligations detailed in the contract with the local board of education or education agency for the duration of the contract. Unethical conduct includes, but is not limited to, c. Abandonment of classroom or failure to provide appropriate supervision of students at school or school-sponsored activities to ensure the safety and well-being of students.”)

13. Ms. Young without admitting that she violated the laws and rules cited in paragraph 12, acknowledges that there is sufficient evidence to support a finding of a violation of the laws and rules cited in paragraph 12.

**B. STIPULATED DISCIPLINE**

14. If this Stipulation is approved by the Commission, the following discipline will be imposed by the Commission on Ms. Young’s certificate.

- a. Issuance of a letter of a reprimand.

- b. Ms. Young must take and complete a PSC approved Ethics course and Boundaries course, neither course may be used for renewal purposes.

15. Any costs associated with Ms. Young's compliance with the terms of this Stipulation are her responsibility.

### **C. PRESENTATION OF THIS STIPULATION**

16. Once Ms. Young signs this Stipulation and timely returns it to the Commission, and the Executive Committee signs this Stipulation, the Deputy Attorney General assigned to the Commission will present this Stipulation to the Commission at the Commission's next business meeting.

17. The Commission may accept, reject, or modify the Stipulation.

18. If the Commission modifies this Stipulation, it must receive Ms. Young's approval on any modification before the Stipulation is effective.

### **D. WAIVER OF RIGHTS**

19. If this Stipulation is approved by the Commission, Ms. Young knowingly, intelligently, and voluntarily waives the following rights:

- a. the right to a hearing;
- b. the right to confront and cross-examine witnesses;
- c. the right to present evidence or to call witnesses, or to testify at a hearing;
- d. the right to reconsideration of the Commission's orders;
- e. the right to judicial review of the Commission's orders; and
- f. other rights accorded by the Idaho Administrative Procedure Act, and the law and rules governing teacher certification in the State of Idaho.

20. If this Stipulation is approved by the Commission, the Commission may impose discipline upon Ms. Young's certificate without further process.

21. By signing this Stipulation, Ms. Young agrees to waive any requirement for a hearing under Idaho Code § 33-1209(3) to be conducted within 90 days of a request for a hearing. This waiver applies to any hearing request made before the Commission ultimately rejects this Stipulation (if it does) or before Ms. Young ultimately rejects a modified stipulation (if Ms. Young does). If the Commission ultimately rejects this Stipulation or if Ms. Young ultimately rejects a modified stipulation, and Ms. Young has requested a hearing, the 90-day hearing timeframe will begin from the ultimate rejection.

**F. GENERAL ACKNOWLEDGMENTS**

22. This Stipulation contains the entire agreement between the parties, and Ms. Young is not relying on any other agreement or representation, whether verbal or written.

23. This Stipulation, if approved by the Commission, or modified and approved, resolves a contested case. If approved, the Stipulation, consent order, and any attachment are public records. And if approved, the Commission may make available through its or the State Department of Education's website a copy of the Stipulation, consent order, and any attachment, and may report any discipline to the national clearinghouse for teacher certification.

24. Ms. Young agrees that she has read this Stipulation, has had the opportunity to discuss it with legal counsel, if she so chose, and understands that by signing below, she will be agreeing to the terms of this Stipulation.

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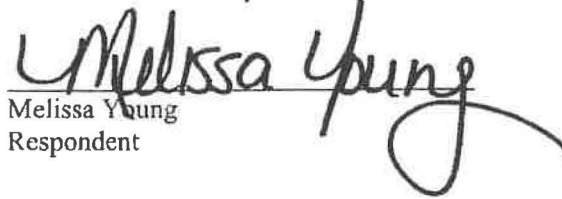
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**SIGNATURES**

**Respondent**

The respondent, Melissa Young, agrees to this Stipulation.

DATED this 1 day of Feb, 2022.

  
Melissa Young  
Respondent

**Executive Committee**

The Executive Committee recommends that the Commission enter an Order based upon this Stipulation.

DATED this 3<sup>rd</sup> day of February 2022.

IDAHO PROFESSIONAL STANDARDS COMMISSION  
EXECUTIVE COMMITTEE

  
Kathy Davis, Member

**IDAHO PROFESSIONAL STANDARDS COMMISSION**

In the matter of the certificate of:

Melissa Young

Respondent

Case No. 22103

**CONSENT ORDER**

The Professional Standards Commission orders that the Stipulation, entered between Melissa Young and the Executive Committee, is adopted as the informal disposition of this case, as permitted under Idaho Code § 67-5241. It will be effective on the 3<sup>rd</sup> day of February, 2022. The discipline listed in the Stipulation is imposed on Melissa Young's certificate under Idaho Code §§ 33-1208 and 33-1209. This is a final agency order, and Melissa Young has waived the right of judicial review.

IDAHO PROFESSIONAL STANDARDS COMMISSION



Steve Cophmann, Member

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 7th day of February, 2022, I caused to be served a true and correct copy of the foregoing by the following method to:

Melissa Young  
C/O Shane Reichert  
IDAHO EDUCATION  
ASSOCIATION  
P.O. Box 2638  
Boise, ID 83701

- U.S. Mail
- Hand Delivery
- Certified Mail, Return Receipt Requested
- Overnight Mail
- Facsimile:
- Email: sreichert@idahoea.org

*Attorney for the  
Chief Certification Officer*  
Robert A. Berry  
Deputy Attorney General  
P.O. Box 83720  
Boise, ID 83720-0010

- U.S. Mail
- Hand Delivery
- Certified Mail, Return Receipt Requested
- Overnight Mail
- Facsimile: (208) 854-8073
- Email: robert.berry@ag.idaho.gov  
leslie.gottsch@ag.idaho.gov

Annette Schwab

Annette Schwab  
Program Specialist  
Idaho State Department of Education





STATE OF IDAHO  
**PROFESSIONAL STANDARDS COMMISSION**  
STATE DEPARTMENT OF EDUCATION  
PO BOX 83720  
BOISE, IDAHO 83720-0027

OFFICE  
650 W State Street  
PHONE  
(208) 332-6884  
FAX  
(208) 334-2228  
SPEECH/HEARING IMPAIRED  
(800) 377-3529

RE: Melissa Young  
Professional Standards Commission Case No. 22103

### LETTER OF REPRIMAND

The Professional Standards Commission issues a formal reprimand to Melissa Young.

The Executive Committee found that probable cause existed to warrant the filing of an administrative complaint against Mr. Young's certificate by the Chief Certification Officer. Ms. Young entered into stipulated discipline. The full Professional Standards Commission considered the case and adopted the discipline recommended by the Executive Committee, which was incorporated into the stipulated discipline. Accordingly, a letter of reprimand is now issued based upon Ms. Young failing to exercise professional conduct by bringing and allowing students to distribute wine on school premises as gifts to colleagues during school hours. The Chief Certification Officer is directed to issue and place this letter of reprimand in Ms. Young's certification file.

Dated this 07 day of February, 2022.

IDAHO STATE DEPARTMENT OF EDUCATION

Bethani Studebaker, Chief Certification Officer

c: Robert A. Berry, Attorney for the Chief Certification Officer