

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificates of:

Laura Sandidge,

Respondent

Case No. 22030

STIPULATION

BACKGROUND

The Professional Standards Commission received an allegation of unethical conduct concerning Laura Sandidge. 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 Laura Sandidge's certificates. The Executive Committee has recommended the following Stipulation.

STIPULATION

1. This is an agreement ("Stipulation") between Laura Sandidge ("Ms. Sandidge") and the Executive Committee (the "Executive Committee") of the Professional Standards Commission (the "Commission").
2. If Ms. Sandidge wishes to agree to this Stipulation, she must sign and return this Stipulation and any attachments to the Commission by 5:00 p.m. (Mountain Time) on or before **March 26, 2021**, unless she has been granted an extension.
3. After Ms. Sandidge 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.

4. 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)

STIPULATED FACTS AND LAW

5. The Commission regulates teacher certification in Idaho.
6. The Chief Certification Officer is empowered to file an administrative complaint against the certificate of a teacher or other individual certified under the authority of the Idaho State Board of Education. Idaho Code § 33-1209.
7. Ms. Sandidge holds the following certificates and endorsements issued under the authority of the Idaho State Board of Education:
 - a. Administrator Certificate with Director of Special Education (Pre-K-12), Superintendent (Pre-K-12), and School Principal (Pre-K-12) endorsements, all of which were effective September 1, 2020 through August 31, 2025.
 - b. Standard Secondary Certificate with Literacy (K-12) and History (6-12) endorsements, all of which were effective September 1, 2020 through August 31, 2025.
 - c. Administrator Certificate with Director of Special Education (Pre-K-12), Superintendent (Pre-K-12), and School Principal (Pre-K-12) endorsements, all of which were effective September 1, 2015 through August 31, 2020.
 - d. Standard Secondary Certificate with Literacy (K-12) and History (6-12) endorsements, all of which were effective September 1, 2015 through August 31, 2020.

8. Ms. Sandidge was and has been the administrator and an employee of Another Choice Virtual Charter School (“ACVS”) since 2010.

9. Her son-in-law, Kevin McLaren, is a board member for ACVS and has been since 2015.

10. Under Principle I of the Code of Ethics, Ms. Sandidge, as a professional educator, was required to abide by all federal, state, and local educations, laws, and statutes.

11. Every employee of a public charter school and every member of its board of directors is required to comply with ethical standards and conduct that is also found in the Ethics in Government Act of 2015.

12. This Act requires public officials to not take any action where a conflict of interest exists.

13. If a conflict of interest exists, then it must be disclosed.

14. A public official must prepare a written statement describing the matter to be acted upon and the nature of the potential conflict and deliver such statement to his or her appointing authority.

15. Based upon Idaho Code section 33-5204(6)(a), Idaho utilizes a four-step procedure (found in Idaho Code sections 18-1361 and 181361A) for the award of contracts involving a public charter school to a business in which a board member has a direct or indirect interest, which conflict extends to a person related by blood or marriage within the second degree.

16. The procedure for any board member with a direct or indirect interest in a business that the board is contracting with is generally as follows:

- a. The contract is competitively bid, and the public servant or his relative submits the low bid; and

- b. Neither the public servant nor his relative takes any part in the preparation of the contract or bid specifications, and the public servant takes no part in voting on or approving the contract or bid specifications; and
- c. The public servant makes full disclosure, in writing to all members of the governing body, council, or board of said public body of his interest or that of his relative and of his or his relative's intention to bid on the contract; and
- d. Neither the public servant nor his relative has violated any provision of Idaho law pertaining to competitive bidding or improper solicitation of business.

17. Advocates for Inclusion is a general business corporation, in which Ms. Sandidge is a member and co-owner.

18. Ms. Sandidge's son-in-law, Kevin McLaren, is a co-owner of Advocates for Inclusion.

19. ACVS contracted at various times with Advocates for Inclusion for behavioral intervention and special education services.

20. In the 2019-20 school year, ACVS agreed to pay Advocates for Inclusion \$500,000 in exchange for special education services.

21. ACVS did not utilize the competitive bidding process for its contracts with Advocates for Inclusion and did not receive other bids or proposals from other similarly situated service providers.

22. SMS Enterprises is a limited liability company in which Ms. Sandidge is a member and co-owner.

23. Ms. Sandidge's son-in-law, Kevin McLaren, is a co-owner of SMS Enterprises.

24. ACVS rents buildings from SMS Enterprises in both Nampa and Boise.

25. ACVS did not use a competitive bidding process in regard to its lease with SMS Enterprises.

26. Ms. Sandidge signed contracts on behalf of ACVS with Advocates for Inclusion and SMS Enterprises.

27. As an employee of ACVS, Ms. Sandidge had a duty to inform the public of the existence of any conflicts of interest and was required to submit a written statement describing any conflicts of interest when the at-issue contracts were presented to the ACVS Board of Directors.

28. Ms. Sandidge did not prepare or submit a written statement describing a conflict of interest to the ACVS Board of Directors in regard to the contracts with Advocates for Inclusion or SMS Enterprises.

29. The Executive Committee determined that probable cause exists for initiating an administrative action against Ms. Sandidge for violating the following laws and rules governing teacher certification:

- a. Ms. Sandidge'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. Sandidge's conduct or course of conduct violated Idaho Code § 74-404 and/or Idaho Code § 33-5204A(2).
- b. Ms. Sandidge'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. Sandidge violated Code of Ethics Principle V. (Idaho Admin. Code r. 08.02.02.076.06) (“A professional educator entrusted with public funds and property honors that trust with a high level of honesty, accuracy, and responsibility.”).

30. Ms. Sandidge, although not admitting that she violated the laws and rules cited in paragraph 29, and in lieu of fully litigating or actually deciding the issue, acknowledges that there is sufficient evidence to support a finding of a violation of the laws and rules cited in paragraph 29.

31. Ms. Sandidge also notes for the record that her son-in-law is no longer on the Board of Directors; that the Board is, as presently constituted, completely independent of her and any person related to her by blood or marriage; and that much of the alleged violations described herein stemmed solely from that familial relationship. Ms. Sandidge, having sought legal counsel, is now more cognizant of the potential for conflicts of interest in her field and her corresponding duties with regard to such conflicts. Ms. Sandidge is confident that the steps she is currently taking, upon the advice of legal counsel, will resolve any issues in the future.

STIPULATED DISCIPLINE

32. If this Stipulation is approved by the Commission, the following discipline will be imposed by the Commission on Ms. Sandidge’s certificates:

- a. Issue a letter of reprimand to be placed in her certification file.
- b. Require Ms. Sandidge to take a PSC approved ethics course that may not be used for renewal purposes.

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

PRESENTATION OF THIS STIPULATION

34. Once Ms. Sandidge 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.

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

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

WAIVER OF RIGHTS

37. If this Stipulation is approved by the Commission, Ms. Sandidge 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.

38. If this Stipulation is approved by the Commission, the Commission may impose discipline upon Ms. Sandidge's certificates without further process.

39. By signing this Stipulation, Ms. Sandidge 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. Sandidge ultimately rejects a modified stipulation (if

Ms. Sandidge does). If the Commission ultimately rejects this Stipulation or if Ms. Sandidge ultimately rejects a modified stipulation, and Ms. Sandidge has requested a hearing, the 90-day hearing timeframe will begin from the ultimate rejection.

GENERAL ACKNOWLEDGMENTS

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

41. This Stipulation, if approved by the Commission, or modified and approved, is entered into by Ms. Sandidge and the Commission solely for use in resolving the present proceeding before the Commission.

42. 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.

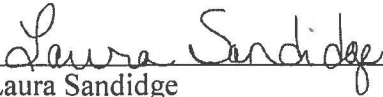
43. Ms. Sandidge agrees that she has read this Stipulation, has had the opportunity to discuss it with legal counsel, if she so chose, and understands that by signing below, she will be agreeing to the terms of this Stipulation.

SIGNATURES

Respondent

The respondent, Laura Sandidge, agrees to this Stipulation.

DATED this 25th day of March, 2021.



Laura Sandidge
Respondent

Executive Committee

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

DATED this 8th day of April, 2021.

IDAHO PROFESSIONAL STANDARDS COMMISSION
EXECUTIVE COMMITTEE

Kathy Davis
Kathy Davis, Member

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificates of:

Laura Sandidge

Respondent

Case No. 22030

CONSENT ORDER

The Professional Standards Commission orders that the Stipulation, entered between Laura Sandidge 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 8 day of April, 2021. The discipline listed in the Stipulation is imposed on Laura Sandidge's certificates under Idaho Code §§ 33-1208 and 33-1209. This is a final agency order, and Laura Sandidge has waived the right of judicial review.

IDAHO PROFESSIONAL STANDARDS COMMISSION


Elisa Saffle, Member

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of April, 2021, I caused to be served a true and correct copy of the foregoing by the following method to:

Laura Sandidge, Respondent
C/O Thomas E. Dvorak
Blake W. Ringer
P.O. Box 2720
Boise, ID 83701

- U.S. Mail
- Hand Delivery
- Certified Mail, Return Receipt Requested
- Overnight Mail
- Facsimile:
- Email: tedservice@givenspursley.com
blakeringer@givenspursley.com

*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
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: Laura Sandidge
Professional Standards Commission Case No. 22030

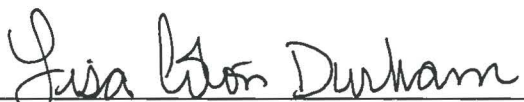
LETTER OF REPRIMAND

The Professional Standards Commission issues a formal reprimand to Laura Sandidge.

The Executive Committee found that probable cause existed to warrant the filing of an administrative complaint against Ms. Sandidge's certificates by the Chief Certification Officer. In lieu of filing an answer, Ms. Sandidge entered into stipulated discipline. The full Professional Standards Commission considered her 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. Sandidge's failure in her duty to inform the public of the existence of any conflicts of interest, and failure to submit a written statement describing any conflicts of interests when the at-issue contracts with Advocates for Inclusion or SMS Enterprises. were presented to the ACVS Board of Directors. This conduct violate Code of Ethics Principle V and Idaho Code § 74-404 and/or Idaho Code § 33-5204A(2). The Chief Certification Officer is directed to issue and place this letter of reprimand in Ms. Sandidge's certification file.

Dated this 12 day of April, 2021.

IDAHO STATE DEPARTMENT OF EDUCATION



Lisa Colon Durham, Chief Certification Officer

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

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Laura Sandidge