

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificate of:

Artur J. Correia,

Respondent.

Case No. 21916

STIPULATION

BACKGROUND

The Professional Standards Commission received an allegation of unethical conduct concerning Artur J. Correia. 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 Artur J. Correia's certificate. The Executive Committee has recommended the following Stipulation.

STIPULATION

1. This is an agreement (Stipulation) between Artur J. Correia (Mr. Correia) and the Executive Committee (the Executive Committee) of the Professional Standards Commission (the Commission).
2. If Mr. Correia wishes to agree to this Stipulation, he must sign and return this Stipulation and any attachments to the Commission by 5:00 p.m. (Mountain Time) on or before **July 17, 2019**, unless he has been granted an extension.
3. After Mr. Correia 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)

A. STIPULATED FACTS AND LAW

5. The Commission regulates teacher certification in Idaho.
6. Mr. Correia holds the following certificate and endorsements issued under the authority of the Idaho State Board of Education:
 - a. Alternative Authorization – Content Specialist Certificate with Natural Science (6-12) and Biological Science (6-12) endorsements, effective September 1, 2018, through August 31, 2019.
7. Mr. Correia signed a contract on July 26, 2018, with Project Impact STEM Academy (Pi STEM) for the 2018-2019 school year to teach as a science teacher.
8. On December 21, 2018, Respondent submitted a letter of resignation to Pi STEM.
9. The Pi-Stem Board subsequently adjusted Mr. Correia’s contract to a part-time position, which Mr. Correia agreed to and signed on January 29, 2019.
10. On March 18, 2019, Mr. Correia again submitted a letter of resignation to Pi-STEM.
11. The Pi-STEM Board did not approve of or release Mr. Correia from the January 29, 2019, contract.
12. The Executive Committee determined that probable cause exists for initiating an administrative action against Mr. Correia for violating the following laws and rule governing teacher certification:
 - a. Mr. Correia’s conduct or course of conduct violated Idaho Code § 33-1208(1)(c) (“Breach of the teaching contract”).

- b. Mr. Correia's conduct or course of conduct willfully violated a code of ethics principle, adopted by the Idaho State Board of Education. Idaho Code § 33-1208(1)(j). Specifically, Mr. Correia violated Code of Ethics Principle VIII (Idaho Admin. Code r. 08.02.02.076.09) ("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.").

13. Mr. Correia admits that he violated the laws and rules cited in paragraph 17, and 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 Mr. Correia's certificates:

- a. Suspend Mr. Correia's certificate for one year from the date the full PSC approves this Stipulation and issues a consent order.

15. Any costs associated with Mr. Correia's compliance with the terms of this Stipulation are his responsibility.

C. PRESENTATION OF THIS STIPULATION

16. Once Mr. Correia 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 Mr. Correia's approval on any modification before the Stipulation is effective.

D. WAIVER OF RIGHTS

19. If this Stipulation is approved by the Commission, Mr. Correia 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 Mr. Correia's certificate without further process.

21. By signing this Stipulation, Mr. Correia 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 Mr. Correia ultimately rejects a modified stipulation (if Mr. Correia does). If the Commission ultimately rejects this Stipulation or if Mr. Correia ultimately rejects a modified stipulation, and Mr. Correia 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 Mr. Correia 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. Mr. Correia agrees that he has read this Stipulation, has had the opportunity to discuss it with legal counsel, if he so chose, and understands that by signing below, he will be agreeing to the terms of this Stipulation.

SIGNATURES

Respondent

The respondent, Artur J. Correia, agrees to this Stipulation.

DATED this 16 day of July, 2019.



Artur J. Correia
Respondent

Executive Committee

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

DATED this 19th day of Sept., 2019.

IDAHO PROFESSIONAL STANDARDS COMMISSION
EXECUTIVE COMMITTEE



Kathy Davis, Member

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificate of:

Artur J. Correia

Respondent

Case No. 21916

CONSENT ORDER

The Professional Standards Commission orders that the Stipulation, entered between Artur J. Correia 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 19 day of September, 2019. The discipline listed in the Stipulation is imposed on Artur J. Correia's certificate under Idaho Code §§ 33-1208 and 33-1209. This is a final agency order, and Artur J. Correia has waived the right of judicial review.

IDAHO PROFESSIONAL STANDARDS COMMISSION


Elisa Saffle, Member

CERTIFICATE OF SERVICE

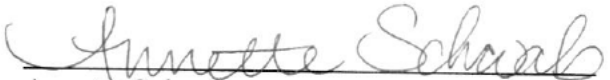
I HEREBY CERTIFY that on this 20th day of September, 2019, I caused to be served a true and correct copy of the foregoing by the following method to:

Artur J. Correia


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

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