

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificates of:

Case No. 21909

Ryan R. Hinton,

STIPULATION

Respondent

BACKGROUND

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

STIPULATION

1. This is an agreement (Stipulation) between Ryan R. Hinton (Mr. Hinton) and the Executive Committee (the Executive Committee) of the Professional Standards Commission (the Commission).

2. If Mr. Hinton 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 April 26, 2019, unless he has been granted an extension.

3. After Mr. Hinton 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.

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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. Hinton holds the following certificates and endorsements issued under the authority of the Idaho State Board of Education:
- a. Standard Exceptional Child certificate with Exceptional Child Generalist (K-12) and History (6-12) endorsements, effective September 1, 2017, through August 31, 2022.
7. Mr. Hinton was employed by the Nampa School District ("District") for the 2018-2019 school year as a special education teacher at South Middle School.
8. On Sunday, October 21, 2018, while off school premises, Mr. Hinton began texting a co-worker.
9. The texts began as small talk until Mr. Hinton asked the colleague if he could tell her something just between them.
10. Mr. Hinton then texted his colleague by telling her she was very beautiful.
11. Mr. Hinton then continued to text her that day, including sending a photo, and at one point asked the colleague if she had feelings for him to which she responded, "No, I am happily married."
12. Mr. Hinton continued to text that day and into the next when his colleague subsequently blocked his number.

13. In light of the above conduct, Mr. Hinton met with District staff on October 26, 2018, in which Mr. Hinton admitted he used a poor choice of words and made inappropriate comments.

14. When asked if the District would find inappropriate material on his computer, he said not in any emails, but admitted there was one time he viewed porn and erased the history on his district device while he was at his home.

15. Mr. Hinton subsequently resigned from the District.

16. He is attending counseling and actively working to make positive choices to ensure he maintains healthy and appropriate boundaries in all areas of his life.

17. The Executive Committee determined that probable cause exists for initiating an administrative action against Mr. Hinton for violating the following laws and rule governing teacher certification:

- a. Mr. Hinton'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, Mr. Hinton violated Code of Ethics Principle X (Idaho Admin. Code r. 08.02.02.076.11) ("A professional educator ensures just and equitable treatment for all members of the profession in the exercise of academic freedom, professional rights and responsibilities while following generally recognized professional principles.").
- b. Mr. Hinton'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, Mr. Hinton 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.").

18. Mr. Hinton 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 rule cited in paragraph 17.

B. STIPULATED DISCIPLINE

19. If this Stipulation is approved by the Commission, the following discipline will be imposed by the Commission on Mr. Hinton's administrator certificate:

a. The Commission will revoke Mr. Hinton's certificate.

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

C. PRESENTATION OF THIS STIPULATION

21. Once Mr. Hinton 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.

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

23. If the Commission modifies this Stipulation, it must receive Mr. Hinton's approval on any modification before the Stipulation is effective.

D. WAIVER OF RIGHTS

24. If this Stipulation is approved by the Commission, Mr. Hinton 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.

25. If this Stipulation is approved by the Commission, the Commission may impose discipline upon Mr. Hinton's certificate without further process.

26. By signing this Stipulation, Mr. Hinton 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. Hinton ultimately rejects a modified stipulation (if Mr. Hinton does). If the Commission ultimately rejects this Stipulation or if Mr. Hinton ultimately rejects a modified stipulation, and Mr. Hinton has requested a hearing, the 90-day hearing timeframe will begin from the ultimate rejection.

F. GENERAL ACKNOWLEDGMENTS

27. This Stipulation contains the entire agreement between the parties, and Mr. Hinton is not relying on any other agreement or representation, whether verbal or written.

28. 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.

29. Mr. Hinton 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.

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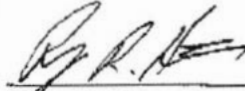
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SIGNATURES

Respondent

The respondent, Ryan R. Hinton, agrees to this Stipulation.

DATED this 4th day of September, 2019.



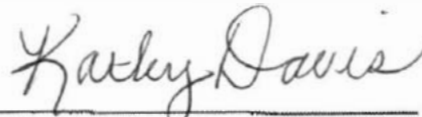
Ryan R. Hinton
Respondent

Executive Committee

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

DATED this 19 day of ~~June~~ Sept, 2019.

IDAHO PROFESSIONAL STANDARDS COMMISSION
EXECUTIVE COMMITTEE



Char McKinney, Member
Kathy Davis

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificate of:

Ryan R. Hinton

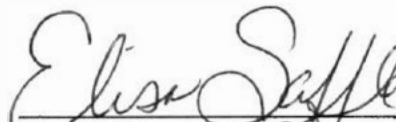
Respondent

Case No. 21909

CONSENT ORDER

The Professional Standards Commission orders that the Stipulation, entered between Ryan R. Hinton 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 ~~June~~^{Sept.}, 2019. The discipline listed in the Stipulation is imposed on Ryan R. Hinton's certificate under Idaho Code §§ 33-1208 and 33-1209. This is a final agency order, and Ryan R. Hinton 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 Sept ~~June~~, 2019, I caused to be served a true and correct copy of the foregoing by the following method to:

Ryan R. Hinton



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:
- Email:

- 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