

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificates of:

Marvin J. Hansen,

Respondent

Case No. 22027

FINAL ORDER

The Chief Certification Officer for the State of Idaho filed an Administrative Complaint against the educator certificates issued to Marvin J. Hansen on February 25, 2021, seeking for the Professional Standards Commission to impose discipline on Mr. Hansen’s certificates. *See* Idaho Code § 33-1209. Mr. Hansen timely requested a hearing, but failed to file an answer at least 30 days from the hearing set for June 23, 2021, or by May 24, 2021.

On May 27, 2021, the Chief Certification Officer filed a Motion for Default and/or Motion to File an Amended Complaint (“Motion”), seeking that default be entered against Respondent for failing to file an answer to the Complaint. Alternatively, the Chief Certification Officer sought seek to add an addition count alleging violation of Ethical Principal VIII.

On June 4, 2021, the Presiding Officer sent out a Scheduling Order requiring Respondent to respond to the Motion by close of business on June 8, 2021.

On June 15, 2021, the Presiding Officer issued an Order on the Motion. Respondent had not filed an answer to the Complaint or responded to the Motion. Based upon IDAPA 04.011.01.270, when an answer is not timely filed under this rule, the presiding officer may issue a notice of default against the Respondent pursuant to Rule 700. A Notice of Proposed Default Order was issued concurrently with the Order and the hearing set for June 23, 2021 was vacated. A Default Order was subsequently issued on June 24, 2021.

Because Mr. Hansen was determined to be in default by a hearing/presiding officer, the allegations in the Administrative Complaint are treated as admitted, Idaho Code § 33-1209(3), and are incorporated by reference as findings of fact.

Based on these findings, the Professional Standards Commission concludes that Mr. Hansen's conduct or course of conduct willfully violated a principle of the Code of Ethics adopted by the Idaho State Board of Education. Idaho Code § 33-1208(1)(j). Specifically, Mr. Hansen 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.").

Based on these findings, the Professional Standards Commission concludes that Mr. Hansen's conduct or course of conduct willfully violated a principle of the Code of Ethics adopted by the Idaho State Board of Education. Idaho Code § 33-1208(1)(j). Specifically, Mr. Hansen 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.").

Under Idaho Code § 33-1208, the Professional Standards Commission orders that the following discipline (as marked) be imposed on Mr. Hansen's certificates:

As requested in the Administrative Complaint

The discipline requested by the Chief Certification Officer in her Request for Relief in the Administrative Complaint.

Other discipline

Mr. Hansen's certificates are revoked.

Mr. Hansen's certificates are permanently revoked under Idaho Code § 33-1208(2).

_____ Mr. Hansen's certificates are suspended for _____ years _____ months

_____ Mr. Hansen's certificates are suspended indefinitely pending completion of the following conditions:

1. _____
2. _____
3. _____
4. _____

_____ Mr. Hansen's certificates have the following conditions placed upon it.

1. _____
2. _____
3. _____
4. _____

_____ A letter of reprimand will be placed in Mr. Hansen's permanent certification file.

This Order is effective on the day it is signed. This Order and the Administrative Complaint, which will be attached to this Order, are public records, and may be made available on the State Department of Education or the Commission's website.

DATED this 17 day of September, 2021.



STEVE COPMAN, MEMBER
Idaho Professional Standards Commission

NOTIFICATION OF PROCEDURAL RIGHTS

The Professional Standards Commission wishes to notify you of the following rights.

An administrative action has been initiated against your certificate(s). Under Idaho Code § 33-1209, if you wish to contest the allegations set forth in the administrative complaint, you must request a hearing. This request must be (1) made not more than 30 days after the date of service (mailing) of the administrative complaint, (2) in writing, and (3) addressed to the state superintendent of public instruction. **If you do not request a hearing or do not comply with the requirements for requesting a hearing, the allegations in this administrative complaint will be treated as admitted under Idaho Code § 33-1209(3).**

In response to this administrative complaint, you must file an answer pursuant to IDAPA rule 04.11.01.270, but you must file the answer at least 30 days prior to the day of the hearing.

You have the right to be represented by legal counsel, at your own expense, during this administrative proceeding. In addition, you are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents, and other things relevant to the proceedings.

This administrative proceeding is governed by provisions of the Idaho Code, including the Idaho Administrative Procedure Act, and by provisions of the Idaho Administrative Code, including the Idaho Rules of Administrative Procedure of the Attorney General that have been adopted by the Board of Education. You may access these laws and rules online or via the Idaho State Law Library.

To request a hearing, you must deliver your request to the following address or fax number:

Sherri Ybarra
Superintendent of Public Instruction
Re: Professional Standards Commission Hearing
650 West State Street, Room 200
P.O. Box 83720
Boise, ID 83720-0027
Telephone: (208) 332-6800
Facsimile: (208) 334-2228

The State Department of Education receives mailed or hand-delivered documents between the hours of 8:00 a.m. and 5:00 p.m. (mountain time) except Saturdays, Sundays, and holidays. The State Department of Education permits the filing of facsimile copies of documents that do not exceed ten pages, provided that the facsimile transmission is legible and is received before 5:00 p.m. on its due date. It shall be the responsibility of the filing party to verify with the staff of the State Department of Education that any facsimile transmission is successfully received and legible in its entirety.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of September, 2021, I caused to be served a true and correct copy of the foregoing by the following method to:

Marvin J. Hansen



- 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.gottsche@ag.idaho.gov

Henderson

Helen Henderson
Coordinator
Idaho State Department of Education