

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificate of:

Case No. 21922

Keith E. Adams,

STIPULATION

Respondent

BACKGROUND

The Professional Standards Commission received an allegation of unethical conduct concerning Keith E. Adams. 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 Keith E. Adams's certificate. The Executive Committee recommended the following Stipulation.

STIPULATION

1. This is an agreement (Stipulation) between Keith E. Adams (Mr. Adams) and the full Professional Standards Commission (the Commission).
2. If Mr. Adams wishes to agree to this Stipulation, he must sign and return this Stipulation and any attachments to the Commission by October 11, 2019.
3. After Mr. Adams and the Executive Committee agree to and sign this Stipulation, the Stipulation must then 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. Adams holds the following certificate and endorsements issued under the authority of the Idaho State Board of Education:
 - a. Standard Secondary certificate with History (6-12) and Physical Education (PE) (K-12) endorsements, effective September 1, 2016, through August 31, 2021.
7. Mr. Adams was employed by the Glens Ferry School District (“District”) for the 2018-2019 school year as a PE teacher at the Glens Ferry Middle and High Schools.
8. For the 2018-2019 school year, Mr. Adams held a Renewable Certified Personnel Contract (“Contract”).
9. The Contract required Mr. Adams to comply with all policies of the District and to perform all assignments made by the District in accordance with the highest professional standards.
10. Per District policy and the Contract, Mr. Adams was required to comply with all work-related orders, instructions, and directives issued by a proper authority.
11. In November 2018, the superintendent told Mr. Adams on at least three occasions to stop swearing in front of students who were getting off buses at school.
12. Mr. Adams refused to do so.

13. In February 2019, Mr. Adams made statements to his students that other teachers were on drugs and he made complaints about district administrators.

14. Also, in February 2019, Mr. Adams told the special education teacher that he did not teach special education students.

15. In March 2019, Mr. Adams told students he was going ask them to sign a petition seeking to have the Superintendent stop harassing him.

16. In early April 2019, Mr. Adams called out a middle school student on an IEP in one of his PE classes and proceeded to talk to him at length about his suspicions that the student was a spy for the administration.

17. Mr. Adams told the student that he could not be in his class because he was a spy for the administration and sent the student to the office.

18. Mr. Adams then talked to his high school PE class about the incident.

19. Mr. Adams also refused to complete the Individual Professional Learning Plan that was required of all teachers in the District despite being asked multiple times by the superintendent to complete it over the course of the year.

20. Mr. Adams also refused to complete the end of course assessments for his PE classes required by Board policy and Idaho law.

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

- a. Mr. Adams'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. Adams violated Code of Ethics Principle II (Idaho Admin. Code r. 08.02.02.076.03) ("A professional educator

maintains a professional relationship with all students, both inside and outside the physical and virtual classroom.”).

- b. Mr. Adams’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. Adams 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.”).
- c. Mr. Adams’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. Adams 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.”).

22. Mr. Adams, admits that he violated the law and rules cited in paragraph 21, acknowledges that there is sufficient evidence to support a finding of a violation of the law and rules cited in paragraph 21.

B. STIPULATED DISCIPLINE

23. The full Commission approved the following discipline, which will be imposed on Mr. Adams’s certificate:

- a. The Commission will issue a letter of reprimand and Mr. Adams must take a Commission approved ethics course that may not be used for renewal purposes.

24. Any costs associated with Mr. Adams’s compliance with the terms of this Stipulation are his responsibility.

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C. PRESENTATION OF THIS STIPULATION

25. Once Mr. Adams signs this Stipulation and timely returns it to the Commission, the Commission will sign the stipulation and issue a Consent Order.

D. WAIVER OF RIGHTS

26. If this Stipulation is approved by the Commission, Mr. Adams 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.

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

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

F. GENERAL ACKNOWLEDGMENTS

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

30. 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.

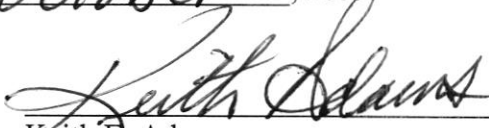
31. Mr. Adams agrees that he has read this Stipulation, has had the opportunity to discuss it with legal counsel, if he so chose, and understands that by signing below, he will be agreeing to the terms of this Stipulation.

SIGNATURES

Respondent

The respondent, Keith E. Adams, agrees to this Stipulation.

DATED this 8th day of October, 2019.



Keith E. Adams
Respondent

Full Commission

The Full Commission agrees to this Stipulation.

DATED this 14th day of November, 2019.

IDAHO PROFESSIONAL STANDARDS COMMISSION
EXECUTIVE COMMITTEE



Kathy Davis, Member

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificate of:

Keith E. Adams

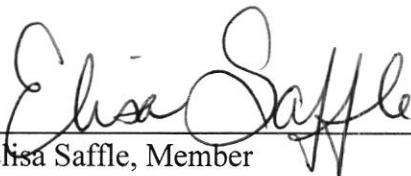
Respondent

Case No. 21922

CONSENT ORDER

The Professional Standards Commission orders that the Stipulation, entered between Keith E. Adams 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 14 day of November, 2019. The discipline listed in the Stipulation is imposed on Keith E. Adams's certificate under Idaho Code §§ 33-1208 and 33-1209. This is a final agency order, and Keith E. Adams has waived the right of judicial review.

IDAHO PROFESSIONAL STANDARDS COMMISSION


Elisa Saffle, Member

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of November, 2019, I caused to be served a true and correct copy of the foregoing by the following method to:


Keith Adams



- 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



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: Keith E. Adams
Professional Standards Commission Case No. 21922

LETTER OF REPRIMAND

The Professional Standards Commission issues a formal reprimand to Keith E. Adams.

The Executive Committee found that probable cause existed to warrant the filing of an administrative complaint against Mr. Adam's certificate by the Chief Certification Officer. In lieu of filing an answer, Mr. Adams entered into stipulated discipline. The full Professional Standards Commission considered his 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 Mr. Adams's behavior over the 2018-19 school year where he swore in front of students, disparaged colleagues, and failed to perform services required by his contract, which are violation of Code of Ethics Principle II, VIII, and X. Mr. Adams is hereby reprimanded for such behavior. The Chief Certification Officer is directed to issue and place this letter of reprimand in Mr. Adams's certification file.

Dated this 22 day of November, 2019.

IDAHO STATE DEPARTMENT OF EDUCATION

Lisa Colon Durham, Chief Certification Officer

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