

**IDAHO PROFESSIONAL STANDARDS COMMISSION**

In the matter of the certificates of:

Jeff Wilkes,

Respondent

Case No. 22223

**FINAL ORDER**

The Chief Certification Officer for the State of Idaho filed an Administrative Complaint against the educator certificate issued to Jeff Wilkes, seeking for the Professional Standards Commission to impose discipline on Mr. Wilkes’s certificates. *See* Idaho Code § 33-1209. Because Mr. Wilkes did not request a hearing within 30 days, and because Mr. Wilkes 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 makes the following findings and conclusions:

Mr. Wilkes’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. Wilkes 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.”).

Mr. Wilkes’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. Wilkes 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.).

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

*As requested in the Administrative Complaint*

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

*Other discipline*

       Mr. Wilkes’s certificates are revoked.

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

       Mr. Wilkes’s certificates are suspended for        years        months

       Mr. Wilkes’s certificates are suspended indefinitely pending completion of the following conditions:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

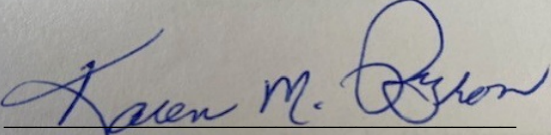
       Mr. Wilkes’s certificates have the following conditions placed upon it.

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

       A letter of reprimand will be placed in Mr. Wilkes’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 3 day of February, 2023.



KAREN PYRON, MEMBER  
Idaho Professional Standards Commission

## **RECONSIDERATION AND JUDICIAL REVIEW**

This is a final order of the Professional Standards Commission. Any party may file a motion for reconsideration of this order within 14 days of the service date of this order. The agency will dispose of the petition for reconsideration within 21 days of its receipt; if not, the petition will be denied as a matter of law. See Idaho Code § 67-5246. Petitions for reconsideration may be filed by mail addressed to the Professional Standards Commission, State Department of Education, P.O. Box 83720, Boise, ID 83720-0027, or hand delivered to the Commission at 650 West State Street, Second Floor, Boise, ID 83720.

Any party aggrieved by this final order or orders previously issued in this case may seek judicial review of the orders in this case in district court. A party may do this by filing a petition for judicial review in the district court as provided in Idaho Code §§ 67-5270 and 67-5272. The petition must be filed within 28 days of the service date of this final order; or, if a motion for reconsideration is filed, within 28 days of the service of a decision on the motion for reconsideration or denial of the motion as a matter of law. Idaho Code § 67-5273. The filing of a petition for judicial review does not itself stay the effectiveness or enforcement of the agency action. Idaho Code § 67-5274.

## CERTIFICATES OF SERVICE

I HEREBY CERTIFY that on this 16<sup>th</sup> day of February, 2023, I caused to be served a true and correct copy of the foregoing by the following method to:


Jeff Wilkes, Respondent

[REDACTED]

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

Robert A. Berry  
Deputy Attorney General  
P.O. Box 83720  
Boise, ID 83720-0010

- U.S. Mail
- Hand Delivery
- Certified Mail, Return Receipt Requested
- Facsimile:
- Email: [robert.berry@ag.idaho.gov](mailto:robert.berry@ag.idaho.gov)  
[leslie.gottsch@ag.idaho.gov](mailto:leslie.gottsch@ag.idaho.gov)

  
Annette Schwab  
Program Specialist  
Idaho State Department of Education

**IDAHO PROFESSIONAL STANDARDS COMMISSION**

In the matter of the certificates of:

Jeff Wilkes,

Respondent

Case No. 22223

**ADMINISTRATIVE COMPLAINT**

Bethani Studebaker, Chief Certification Officer for the State of Idaho, alleges the following against Jeff Wilkes

**BACKGROUND**

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

**GENERAL AVERMENTS**

1. The Professional Standards Commission ("Commission" regulates educator certification in Idaho.
2. Mr. Wilkes holds the following certificate and endorsement issued under the authority of the Idaho State Board of Education:
  - a. Standard Instructional Certificate with Physical Education (PE) (K-12) endorsement, effective September 2, 2018, through August 31, 2023.
3. Mr. Wilkes was employed as a physical education teacher and coach at Teton High School in the Teton School District #401 during the 2021-2022 school year.

4. While on an overnight wrestling tournament in Challis, Idaho on or around February 5, 2022, Mr. Wilkes and another coach were doing room checks for the night.

5. The coaches entered a room with several students, and Mr. Wilkes and the students began talking and joking, except it escalated.

6. One of the students made a joke that angered Mr. Wilkes.

7. Mr. Wilkes followed the student into the bathroom, where Mr. Wilkes wetted a towel, restrained the student on the floor, placed the towel under his chin, and lifted the boy off the floor.

8. When Mr. Wilkes exited the bathroom, another student told or asked Mr. Wilkes to leave the room.

9. Mr. Wilkes did not leave, so the student grabbed a pillow and struck Mr. Wilkes, asking Mr. Wilkes again to leave.

10. The situation escalated further as Mr. Wilkes began to towel whip the student on the thigh.

11. The student then used a wrestling move on Mr. Wilkes and was choking him out, then released him, telling him to “leave, you leprechaun.”

12. Mr. Wilkes then kicked the student and threw six to eight closed-fist punches into the student’s back that left visible marks.

### **Count I**

13. Mr. Wilkes’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. Wilkes 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.).

### **Count II**

14. Mr. Wilkes’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. Wilkes 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.).


### **REQUEST FOR RELIEF**

The Chief Certification Officer requests that the Commission grant the following relief, as permitted under Idaho Code §§ 33-1208 and 33-1209:

- a. Mr. Wilkes’s certificate be revoked.
- b. That if Mr. Wilkes requests a hearing, a hearing be conducted before a hearing panel, where the Chief Certification Officer and Mr. Wilkes may present evidence concerning the allegations in this Administrative Complaint, to aid the hearing panel in determining whether Mr. Wilkes’s certificates should be disciplined and, if so, what discipline should be imposed.
- c. That after a hearing, the waiver of a hearing, or Mr. Wilkes’s failure to file an Answer to this Administrative Complaint, the hearing panel issue findings of fact and conclusions of law finding the violations of law alleged herein;
- d. Any other relief that would be just under the circumstances.



DATED this 14<sup>th</sup> day of October, 2022.

  
BETHANI STUDEBAKER  
Chief Certification Officer

*Attorney for the*  
*Chief Certification Officer*  
Robert A. Berry  
Deputy Attorney General  
PO Box 83720  
Boise, ID 83720-0010  
(208) 334-2400  
[robert.berry@ag.idaho.gov](mailto:robert.berry@ag.idaho.gov)

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 14th day of October, 2022, I caused to be served a true and correct copy of the foregoing by the following method to:

Jeff Wilkes, Respondent



- 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

Annette Schwab  
Program Specialist