

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificate of:

Kristen D. Pavelka,

Respondent

Case No. 22429

STIPULATION

BACKGROUND

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

STIPULATION

1. This is an agreement (Stipulation) between Kristen Pavelka (Ms. Pavelka) and the Executive Committee (the Executive Committee) of the Professional Standards Commission (the Commission).
2. If Ms. Pavelka wishes to agree to this Stipulation, she must sign and return this stipulation and any attachments to the Commission by 5:00 p.m. (Mountain Time) on February 21, 2025, unless she has been granted an extension.
3. After Ms. Pavelka 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 W. State St. 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 educator certification in Idaho.
6. Ms. Pavelka 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 June 6, 2022, to August 31, 2027.
7. Ms. Pavelka was employed by Kuna School District during the 2023-2024 school year.
8. Ms. Pavelka signed a contract with the Kuna School District for employment for the 2023-2024 school year.
9. On or about April 1, 2024, Ms. Pavelka submitted a letter of resignation to the school district and resigned her position, effective immediately.
10. She did not fulfill the terms of her contract for the 2023-2024 school year.
11. On or about April 9, 2024, the Kuna School District Board of Trustees denied acceptance of Ms. Pavelka's letter of resignation.
12. The Kuna School District Board of Trustees did not release Ms. Pavelka from her contract.
13. The Executive Committee determined that probable cause exists for initiating an administrative action against Ms. Pavelka for violating the following laws and rules governing educator certification:

- a. Ms. Pavelka’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) (“Willful violation of any professional code or standard of ethics or conduct, adopted by the state board of education.”). Specifically, Ms. Pavelka 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 educators or education agency for the duration of the contract.”).

14. Ms. Pavelka does not agree with the allegations, but admits there is sufficient evidence to support a finding of a violation of the laws and rules cited in Paragraph 13.

B. STIPULATED DISCIPLINE

15. If this Stipulation is approved by the Commission, the following discipline will be imposed by the Commission on Ms. Pavelka’s certificate:

- a. Issue a letter of reprimand to be placed in her certification file.

16. Any costs associated with Ms. Pavelka’s compliance with the terms of this Stipulation are her responsibility.

17. During the pendency of this Stipulation, Ms. Pavelka will comply with all laws and rules governing educator certification in Idaho.

C. PRESENTATION OF THIS STIPULATION

18. Once Ms. Pavelka 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.

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

20. If the Commission modifies this Stipulation, it must receive Ms. Pavelka's approval on any modification before the Stipulation is effective.

D. WAIVER OF RIGHTS

21. If this Stipulation is approved by the Commission, Ms. Pavelka 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;

22. If this Stipulation is approved by the Commission, the Commission may impose discipline upon Ms. Pavelka's certificate without further process.

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

E. GENERAL ACKNOWLEDGMENTS

24. This Stipulation contains the entire agreement between the parties, and Ms. Pavelka is not relying on any other agreement or representation, whether verbal or written.

25. 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.

26. Ms. Pavelka agrees that she has read this Stipulation, has had the opportunity to discuss it with legal counsel, if she so chose, and understands that by signing below, she will be agreeing to the terms of this Stipulation.

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SIGNATURES

Respondent

The Respondent, Kristen D. Pavelka, agrees to this Stipulation.

DATED this 23 day of January, 2025.



Kristen D. Pavelka
Respondent

Executive Committee

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

DATED this 5 day of March, 2025.

IDAHO PROFESSIONAL STANDARDS
COMMISSION EXECUTIVE COMMITTEE

IDAHO PROFESSIONAL STANDARDS COMMISSION

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CONSENT ORDER

The Professional Standards Commission orders that the Stipulation, entered between Kristen D. Pavelka 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 5 day of March, 2025. The discipline listed in the Stipulation is imposed on Kristen D. Pavelka's certificates under Idaho Code §§ 33-1208 and 33-1209. This is a final agency order, and Kristen Pavelka has waived the right of judicial review.

IDAHO PROFESSIONAL STANDARDS COMMISSION

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5 day of March, 2025, I caused to be served a true and correct copy of the foregoing by the following method to:

Kristen D. Pavelka

[REDACTED]

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

Attorney for the
Chief Certification Officer
Kyle D. Grigsby
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: kyle.grigsby@ag.idaho.gov
laura.kauffmann@ag.idaho.gov

Annette Schwab
Coordinator