

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificates of:

Laurie N. Gebert,

Respondent

Case No. 22029

STIPULATION

BACKGROUND

The Professional Standards Commission received an allegation of unethical conduct concerning Laurie N. Gebert. 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 Laurie N. Gebert's certificates. The Executive Committee has recommended the following Stipulation.

STIPULATION

1. This is an agreement (Stipulation) between Laurie N. Gebert (Ms. Gebert) and the Executive Committee (the Executive Committee) of the Professional Standards Commission (the Commission).
2. If Ms. Gebert 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 or before **March 26, 2021**, unless she has been granted an extension.
3. After Ms. Gebert 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 West State Street, 2nd Floor
P .O. Box 83720
Boise, ID 83720-0027
Fax: (208) 334-2228 (Attn: Professional Standards Commission)

STIPULATED FACTS AND LAW

5. The Professional Standards Commission (Commission) regulates teacher certification in Idaho.

6. The Chief Certification Officer is empowered to file an administrative complaint against the certificate of a teacher or other individual certified under the authority of the Idaho State Board of Education. Idaho Code § 33-1209.

7. Ms. Gebert holds the following certificates and endorsement issued under the authority of the Idaho State Board of Education:

- a. Standard Instructional Certificate with World-Language German (6-12) endorsement, effective September 1, 2020, through August 31, 2025.
- b. Alternate Auth/Content Spec Certificate with Word Language-German (6-12) endorsement, effective September 1, 2019, through August 31, 2020.

8. Ms. Gebert taught German at Mountain View High School in the West Ada School District for the 2019-2020 school year.

9. On January 4, 2020, a basketball game was held at Sawtooth Middle School.

10. While walking through the hall, Ms. Gebert intentionally shoulder checked a male student, who was eleven years old at the time.

11. Ms. Gebert entered a guilty plea to misdemeanor battery in June of 2020 and received a withheld judgment in June as well.

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

- a. Ms. Gebert'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, Ms. Gebert 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.")

13. Ms. Gebert admits that she violated the laws and rules cited in paragraph 12 and acknowledges that there is sufficient evidence to support a finding of a violation of the laws and rule cited in paragraph 12.

STIPULATED DISCIPLINE

14. If this Stipulation is approved by the Commission, the following discipline will be imposed by the Commission on Ms. Gebert's certificates:

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

15. Any costs associated with Ms. Gebert's compliance with the terms of this Stipulation are her responsibility.

PRESENTATION OF THIS STIPULATION

16. Once Ms. Gebert 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.

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

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

WAIVER OF RIGHTS

19. If this Stipulation is approved by the Commission, Ms. Gebert 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.

20. If this Stipulation is approved by the Commission, the Commission may impose discipline upon Ms. Gebert's certificates without further process.

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

GENERAL ACKNOWLEDGMENTS

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

23. 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.

24. Ms. Gebert 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.

SIGNATURES

Respondent

The respondent, Laurie N. Gebert, agrees to this Stipulation.

DATED this 20 day of March, 2021.



Laurie N. Gebert
Respondent

Executive Committee

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

DATED this 8th day of April, 2021.

IDAHO PROFESSIONAL STANDARDS COMMISSION
EXECUTIVE COMMITTEE



Kathy Davis, Member

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificates of:

Laurie N. Gebert

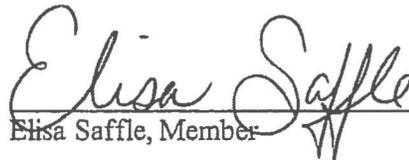
Respondent

Case No. 22029

CONSENT ORDER

The Professional Standards Commission orders that the Stipulation, entered between Laurie N. Gebert 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 8 day of April, 2021. The discipline listed in the Stipulation is imposed on Laurie N. Gebert's certificates under Idaho Code §§ 33-1208 and 33-1209. This is a final agency order, and Laurie N. Gebert has waived the right of judicial review.

IDAHO PROFESSIONAL STANDARDS COMMISSION


Elisa Saffle, Member

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of April, 2021, I caused to be served a true and correct copy of the foregoing by the following method to:

Laurie Gebert, Respondent
C/O Marty Durand
P.O. Box 2864
Boise, ID 83701

- U.S. Mail
- Hand Delivery
- Certified Mail, Return Receipt Requested
- Overnight Mail
- Facsimile:
- Email: marty@idunionlaw.com

*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.gottsich@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: Laurie N. Gebert
Professional Standards Commission Case No. 22029

LETTER OF REPRIMAND

The Professional Standards Commission issues a formal reprimand to Laurie N. Gebert.

The Executive Committee found that probable cause existed to warrant the filing of an administrative complaint against Ms. Gebert's certificates by the Chief Certification Officer. In lieu of filing an answer, Ms. Gebert entered into stipulated discipline. The full Professional Standards Commission considered her 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 Ms. Gebert's use of inappropriate force directed at a student, a violation of Code of Ethics Principle II. The Chief Certification Officer is directed to issue and place this letter of reprimand in Ms. Gebert's certification file.

Dated this 12 day of April, 2021.

IDAHO STATE DEPARTMENT OF EDUCATION

Lisa Colon Durham, Chief Certification Officer

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

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Laurie N. Gebert