

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificate of:

Stacy H. Hutchinson,

Respondent

Case No. 22244

STIPULATION

BACKGROUND

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

STIPULATION

1. This is an agreement (Stipulation) between Stacy H. Hutchinson (Ms. Hutchinson) and the Executive Committee (the Executive Committee) of the Professional Standards Commission (the Commission).
2. If Ms. Hutchinson 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 March 17, 2023, unless she has been granted an extension.
3. After Ms. Hutchinson 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. Hutchinson holds the following certificate and endorsement issued under the authority of the Idaho State Board of Education:
 - a. Interim Standard Instructional Certificate, with All Subjects (K-8) endorsement, effective January 7, 2021, through August 31, 2024.
7. Ms. Hutchinson entered a contract with Xavier Charter School to serve as an Elementary Music Teacher in the District for the 2022-2023 school year.
8. Ms. Hutchinson signed her contract for the 2022-2023 school year and returned it to the Head of Schools on or before May 25, 2022.
9. The Board Chair signed Ms. Hutchinson's contract on or before June 2, 2022.
10. Ms. Hutchinson notified the Head of Schools that she was interviewing for a position elsewhere on July 29, 2022.
11. Ms. Hutchinson submitted a letter of resignation on August 11, 2022, and did not report for work on August 15, 2022, as required under the terms of her contract.
12. The School Board considered the resignation at their August 23, 2022, meeting where the Board did not accept her resignation.
13. The district was unable to find a suitable replacement, and the position was ultimately filled by a non-certified instructor because no certified applicants applied for the position.

14. The School Board did not release Ms. Hutchinson from her contract.

15. The Executive Committee determined that probable cause exists for initiating an administrative action against Ms. Hutchinson for violating the following laws and rules governing educator certification:

- a. Ms. Hutchinson'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. Hutchinson 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.").

16. Ms. Hutchinson admits that she violated the laws and rules cited in paragraph 15 and acknowledges that there is sufficient evidence to support a finding of a violation of the laws and rules cited in paragraph 15.

B. STIPULATED DISCIPLINE

17. If this Stipulation is approved by the Commission, the following discipline will be imposed by the Commission on Ms. Hutchinson certificate:

- a. A letter of reprimand will be issued to Ms. Hutchinson and be placed in her certification file.

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

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

C. PRESENTATION OF THIS STIPULATION

20. Once Ms. Hutchinson 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.

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

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

D. WAIVER OF RIGHTS

23. If this Stipulation is approved by the Commission, Ms. Hutchinson 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;

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

25. By signing this Stipulation, Ms. Hutchinson 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. Hutchinson ultimately rejects a modified stipulation (if Ms. Hutchinson does). If the Commission ultimately rejects this Stipulation or if Ms. Hutchinson

ultimately rejects a modified stipulation, and Ms. Hutchinson has requested a hearing, the 90-day hearing timeframe will begin from the ultimate rejection.

E. GENERAL ACKNOWLEDGMENTS

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

27. 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.

28. Ms. Hutchinson 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, Stacy H. Hutchinson, agrees to this Stipulation.

DATED this 8th day of March, 2023.




Stacy H. Hutchinson
Respondent

Executive Committee

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

DATED this 14 day of April, 2023.

IDAHO PROFESSIONAL STANDARDS COMMISSION
EXECUTIVE COMMITTEE



Chanel Harming, Member

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificate of:

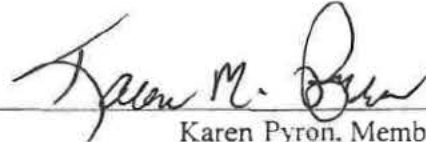
Stacy H. Hutchinson,

Respondent

Case No. 22244
CONSENT ORDER

The Professional Standards Commission orders that the Stipulation, entered between Stacy H. Hutchinson 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 14th day of April, 2023. The discipline listed in the Stipulation is imposed on Stacy H. Hutchinson's certificates under Idaho Code §§ 33-1208 and 33-1209. This is a final agency order, and Stacy H. Hutchinson has waived the right of judicial review.

IDAHO PROFESSIONAL STANDARDS COMMISSION



A handwritten signature in cursive script, appearing to read "Karen M. Pyron", is written over a horizontal line.

Karen Pyron, Member

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of April, 2023, I caused to be served a true and correct copy of the foregoing by the following method to:

Stacy H. Hutchinson, Respondent



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

*Attorney for the
Chief Certification Officer*
James E. ("Jim") Rice
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: jim.rice@ag.idaho.gov
colleen.funk@ag.idaho.gov

Annette Schwab
Program Specialist



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: Stacy H. Hutchinson
Professional Standards Commission Case No. 22244

LETTER OF REPRIMAND

The Professional Standards Commission issues a formal reprimand to Stacy H. Hutchinson.

The Executive Committee found that probable cause existed to warrant the filing of an administrative complaint against Ms. Hutchinson's certificate by the Chief Certification Officer. After an administrative complaint was filed, Ms. Hutchinson stipulated that she breached her contract with the Xavier Charter School and abandoned her classroom, which is a violation of Idaho Code § 33-1208(1)(c) and Code of Ethics Principle VIII. The full Professional Standards Commission considered her case and adopted the stipulated discipline recommended by the Executive Committee. Accordingly, a letter of reprimand is now issued based upon Ms. Hutchinson's behavior where she breached her contract with the Xavier Charter School and abandoned her classroom, which is a violation of Idaho Code § 33-1208(1)(c) and Code of Ethics Principle VIII. Ms. Hutchinson is hereby reprimanded for such behavior. The Chief Certification Officer is directed to issue and place this letter of reprimand in Ms. Hutchinson's certification file.

Dated this ____ day of April, 2023.

IDAHO STATE DEPARTMENT OF EDUCATION


Cina Lackey, Chief Certification Officer

cc: James E. ("Jim") Rice, Attorney for the Chief Certification Officer