

**IDAHO PROFESSIONAL STANDARDS COMMISSION**

In the matter of the certificate of:

Justen B. Mills,

Respondent

Case No. 22245

**STIPULATION**

**BACKGROUND**

The Professional Standards Commission received an allegation of unethical conduct concerning Justen B. Mills. 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 Justen B. Mills' certificate. The Executive Committee has recommended the following Stipulation.

**STIPULATION**

1. This is an agreement (Stipulation) between Justen B. Mills (Mr. Mills) and the Executive Committee (the Executive Committee) of the Professional Standards Commission (the Commission).
2. If Mr. Mills wishes to agree to this Stipulation, he must sign and return this stipulation and any attachments to the Commission by 5:00 p.m. (Mountain Time) on May 7, 2023, unless he has been granted an extension.
3. After Mr. Mills 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. 2<sup>nd</sup> 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. Mr. Mills holds the following certificate and endorsements issued under the authority of the Idaho State Board of Education:
  - a. Standard Instructional Certificate, with All Subjects (K-8) and Exceptional Child Generalist endorsements, effective September 1, 2021, through August 31, 2026.
7. Mr. Mills entered a contract with Gooding Joint School District 231 to serve as a Special Education Teacher for the 2022-2023 school year.
8. On September 28, 2022 Mr. Mills resigned and he did not work after that date.
9. On October 11, 2022, the school board met and did not release Mr. Mills from his contract.
10. Mr. Mills does not feel that he violated his contract. Mr. Mills asserts that changes made by the state to IEP software would have caused him extra work, to exceed the hours listed in his contract.
11. The Executive Committee determined that probable cause exists for initiating an administrative action against Mr. Mills for violating the following laws and rules governing educator certification:
  - a. Mr. Mills 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. Mills 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.”).

12. Mr. Mills admits that there is sufficient evidence to support a finding that he violated the laws and rules cited in paragraph 10 and agrees to this stipulation on that basis.

#### **B. STIPULATED DISCIPLINE**

13. If this Stipulation is approved by the Commission, the following discipline will be imposed by the Commission on Mr. Mills’ certificate:

a. A letter of reprimand will be issued to Mr. Mills and be placed in his certification file.

14. Any costs associated with Mr. Mills’ compliance with the terms of this Stipulation are his responsibility.

15. During the pendency of this Stipulation Mr. Mills will comply with all laws and rules governing educator certification in Idaho.

#### **C. PRESENTATION OF THIS STIPULATION**

16. Once Mr. Mills 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 Mr. Mills' approval on any modification before the Stipulation is effective.

#### **D. WAIVER OF RIGHTS**

19. If this Stipulation is approved by the Commission, Mr. Mills 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;

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

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

#### **E. GENERAL ACKNOWLEDGMENTS**

22. This Stipulation contains the entire agreement between the parties, and Mr. Mills 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.

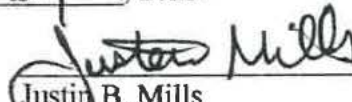
24. Mr. Mills agrees that he has read this Stipulation, has had the opportunity to discuss it with legal counsel, if he so chose, and understands that by signing below, he will be agreeing to the terms of this Stipulation.

#### SIGNATURES

##### Respondent

The Respondent, Justin B. Mills, agrees to this Stipulation.

DATED this 2<sup>nd</sup> day of May, 2023.

  
Justin B. Mills  
Respondent

##### Executive Committee

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

DATED this 15 day of June, 2023.

IDAHO PROFESSIONAL STANDARDS COMMISSION  
EXECUTIVE COMMITTEE

  
Chanel Harming, Member

**DAHO PROFESSIONAL STANDARDS COMMISSION**

In the matter of the certificate of:

Justin B. Mills,

Respondent

Case No. 22239  
**CONSENT ORDER**

The Professional Standards Commission orders that the Stipulation, entered between Justin B. Mills 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 15<sup>th</sup> day of June, 2023. The discipline listed in the Stipulation is imposed on Justin B. Mills' certificates under Idaho Code §§ 33-1208 and 33-1209. This is a final agency order, and Justin B. Mills has waived the right of judicial review.

IDAHO PROFESSIONAL STANDARDS COMMISSION



Karen Pyron, Member

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 20<sup>th</sup> day of June, 2023, I caused to be served a true and correct copy of the foregoing by the following method to:

Justin B. Mills, 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: Justen B. Mills  
Professional Standards Commission Case No. 22245

### LETTER OF REPRIMAND

The Professional Standards Commission issues a formal reprimand to Justen B. Mills.

The Executive Committee found that probable cause existed to warrant the filing of an administrative complaint against Mr. Mills' certificate by the Chief Certification Officer. After an administrative complaint was filed, Mr. Mills stipulated that there is sufficient evidence to support a finding that he breached his contract with the Gooding Joint School District #231 and abandoned his classroom, which is a violation of Idaho Code § 33-1208(1)(c) and Code of Ethics Principle VIII. The full Professional Standards Commission considered his case and adopted the stipulated discipline recommended by the Executive Committee. Accordingly, a letter of reprimand is now issued based upon Mr. Mills' behavior where he breached his contract with the Gooding Joint School District #231 and abandoned his classroom, which is a violation of Idaho Code § 33-1208(1)(c) and Code of Ethics Principle VIII. Mr. Mills is hereby reprimanded for such behavior. The Chief Certification Officer is directed to issue and place this letter of reprimand in Mr. Mills' certification file.

Dated this 16 day of June, 2023.

IDAHO STATE DEPARTMENT OF EDUCATION

  
Cina Lackey, Chief Certification Officer

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