

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificate of:

Sheila M. Frei,

Respondent

Case No. 22316

STIPULATION

BACKGROUND

The Professional Standards Commission received an allegation of unethical conduct concerning Sheila Frei. 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 Sheila Frei’s certificate. The Executive Committee has recommended the following Stipulation.

STIPULATION

1. This is an agreement (Stipulation) between Sheila Frei (Ms. Frei) and the Executive Committee of the Professional Standards Commission (the Commission).
2. If Ms. Frei 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 August 30, 2024, unless she has been granted an extension.
3. After Ms. Frei 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. Frei holds the following certificate and endorsement issued under the authority of the Idaho State Board of Education:

a. Standard Instructional Certificate with All Subjects (K-8) and Literacy (K-12) endorsements, effective September 1, 2021, through August 31, 2026.

7. Ms. Frei was employed by the Lewiston Independent School District during the 2022-2023 school year as a teacher.

8. On information and belief, the following occurred during Ms. Frei's employment.

9. On or about March 22, 2023, Ms. Frei received a letter of reprimand from Principal Karla Carper of Camelot Elementary stating, "[d]ue to concerns from parents and staff and our conversations about the inappropriate touching and grabbing of students, you are receiving this letter of reprimand. We have spoken about refraining from touching students multiple times during the 2022-2023 school year. Specifically, we addressed these concerns September 1, 2022, September 14, 2022, and September 20, 2022."

10. Ms. Frei allegedly made physical contact with a student that exceeded the proper bounds as a teacher.

11. Ms. Frei was placed on administrative leave, effective April 3, 2023. The Notice of Administrative Leave, dated March 30, 2023, indicates the decision is based on an investigation related to "an indicated that occurred on March 20, 2023, where you allegedly grabbed a student on the upper arms and left bruises."

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

- a. Ms. Frei's conduct or course of conduct described in paragraphs 9-11 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. Frei 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. Frei admits that there is sufficient evidence to support a finding of a violation of the laws and rules cited in paragraph 13.

B. STIPULATED DISCIPLINE

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

- a. A letter of reprimand be placed in Ms. Frei's certification file, along with the condition of completing an approved course regarding de-escalation techniques or methods for educators. The course may not be used toward meeting renewal requirements.
- b. Any costs associated with Ms. Frei's compliance with the terms of this Stipulation are her responsibility.

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

C. PRESENTATION OF THIS STIPULATION

16. Once Ms. Frei 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. Frei's approval on any modification before the Stipulation is effective.

D. WAIVER OF RIGHTS

19. If this Stipulation is approved by the Commission, Ms. Frei 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 Ms. Frei's certificate without further process.

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

modified stipulation, and Ms. Frei 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 Ms. Frei 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.

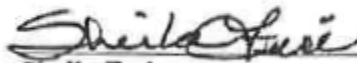
24. Ms. Frei agrees that she has read this Stipulation, has had the opportunity to discuss it with legal counsel, if she so chose, and understands that by signing below, she will be agreeing to the terms of this Stipulation.

SIGNATURES

Respondent

The Respondent, Sheila Frei, agrees to this Stipulation.

DATED this 6TH day of SEPTEMBER, 2024.



Sheila Frei
Respondent

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Executive Committee

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

DATED this 20th day September of , 2024.

IDAHO PROFESSIONAL STANDARDS COMMISSION
EXECUTIVE COMMITTEE



Angela Gillman, Member

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificate of:

Case No. 22316


Sheila M. Frei,

CONSENT ORDER

Respondent

The Professional Standards Commission orders that the Stipulation, entered between Sheila Frei 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 20 day of September 2024. The discipline listed in the Stipulation is imposed on Sheila Frei's certificates under Idaho Code §§ 33-1208 and 33-1209. This is a final agency order, and Sheila Frei has waived the right of judicial review.

IDAHO PROFESSIONAL STANDARDS COMMISSION



Karen Pyron, Member

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of September, 2024, I caused to be served a true and correct copy of the foregoing by the following method to:

Attorney for Sheila Frei
Shane T. Reichert
P.O. Box 2638
Boise, ID 83701

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

*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.kauffman@ag.idaho.gov



Annette Schwab
Coordinator
Idaho Department of Education



Idaho Professional Standards Commission

RE: Sheila Frei
Professional Standards Commission Case No. 22316

LETTER OF REPRIMAND

The Professional Standards Commission issues a formal reprimand to Sheila Frei.

The Executive Committee found that probable cause existed to warrant the filing of an administrative complaint against Ms. Frei's certificate by the Chief Certification Officer. After an administrative complaint was filed, Ms. Frei stipulated that she made physical contact with a student that exceeded the proper bounds as a teacher, which is a violation of Idaho Code § 33-1208(1) and Code of Ethics Principle II. 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, and Ms. Frei is hereby reprimanded for such behavior. The Chief Certification Officer is directed to issue and place this letter of reprimand in Ms. Frei's certification file.

Dated this 25 day of September, 2024.

IDAHO DEPARTMENT OF EDUCATION

A handwritten signature in blue ink that reads 'Cina Lackey' is written over a horizontal line.

Cina Lackey, Chief Certification Officer

cc: Kyle Grigsby, Attorney for the Chief Certification Officer