

**BEFORE THE PROFESSIONAL STANDARDS COMMISSION  
OF THE STATE OF IDAHO**

In the matter of the certificates of:

Darrell D. Jackson,  
  
Respondent.

Case No. 22010

**FINDINGS OF FACT, CONCLUSIONS  
OF LAW AND FINAL ORDER**

1. On July 16, 2021, this matter came before a hearing panel of the Professional Standards Commission of the State of Idaho (“Hearing Panel”) for an administrative hearing. The hearing was conducted to consider the allegations outlined in the Administrative Complaint filed against Darrell Jackson (“Respondent”) by Lisa Colón Durham, Chief Certification Officer for the State of Idaho, Department of Education (“Complainant”).

2. Based upon the findings of fact and conclusions of law set forth herein, this Hearing Panel enters its Final Order granting Complainant’s request for a letter of reprimand.

**PROCEDURAL HISTORY**

3. On July 8, 2020, Complainant filed and served an Administrative Complaint against Respondent seeking to place a letter of reprimand on Respondent’s Administrator Certificate with School Principal (Pre-K-12) endorsement and Standard Exceptional Child Certificate with Exceptional Child Generalist (K-12) endorsement (collectively referred to as “Certificates”).

4. On May 3, 2021, Respondent disputed the allegations detailed in the Administrative Complaint and requested a hearing.

5. On July 16, 2021, an administrative hearing in this matter was conducted before the Hearing Panel via Zoom. During the hearing, Deputy Attorney General Robert Berry represented the Complainant and Respondent represented himself. Becky Meyer served as Chair

for the Hearing Panel. Amanda Cox and Marie McGrath served as the other members of the Hearing Panel. Karen Sheehan, Deputy Attorney General, served as legal counsel for the Hearing Panel.

6. During the hearing, Complainant offered documentary evidence in the form of Exhibits A through F. Respondent did not object to the admission of the exhibits and the Hearing Panel admitted the exhibits into evidence. The Hearing Panel also received verbal testimony from Darrell D. Jackson, Respondent.

### **FINDINGS OF FACT**

7. During all relevant times hereto, Respondent was employed by the Nampa Joint School District (“District”) as an administrator.

8. On November 8, 2019, a Criminal Complaint was filed under Canyon County Case No. CR14-19-22390 charging Respondent with one count of Burglary, Idaho Code § 18-1401, a felony offense; one count of Petit Theft, Idaho Code §§ 18-2403(1) and 18-2407(2), a misdemeanor offense; and one count of Possession of Burglarious Instruments, Idaho Code § 18-1406, a misdemeanor offense. Complainant Ex. A.

9. On December 9, 2019, a Withheld Judgment was entered following Respondent’s guilty plea to the misdemeanor Petit Theft charge. Complainant Ex. C.

10. On January 6, 2020, the District removed Respondent from his administrator position at Union High School. Complainant Ex. D. The District also notified Respondent that it would not be renewing his administrator contract for the 2020-2021 school year. *Id.*

11. Respondent completed all the terms of his sentence, and on June 1, 2020, filed a motion to dismiss the Withheld Judgment entered on December 9, 2019. *See* Complainant Ex. E.

12. On June 2, 2020, the Canyon County District Court entered an Order to Dismiss withdrawing Respondent's guilty plea and the Withheld Judgment, and dismissing the case. Complainant Ex. F.

13. On July 8, 2020, Complainant filed the Administrative Complaint in this matter against Respondent based upon the criminal action described above. In the Request for Relief, Complainant requested that a letter of reprimand be issued against Respondent, among other things. *See Admin. Compl. at 2.*

14. During the hearing, Respondent admitted under oath that he had placed price tags on several items at a local Walmart with lower prices and then scanned the items using the lower price tags. He further admitted to the petit theft. Respondent admitted he made a mistake and was apologetic.

### **CONCLUSIONS OF LAW**

15. This Hearing Panel has authority under Idaho Code §§ 33-1208 and 33-1209 to hear this contested case initiated by Complainant against Respondent.

16. The Hearing Panel has authority under Idaho Code §§ 33-1208 and 33-1209 to place reasonable conditions on any certificate, including issuing a letter of reprimand.

17. In accordance with Idaho Code § 33-1209(6), the Hearing Panel grants Complainant's request for the issuance of a letter of reprimand against Respondent for violating the laws and rules governing his certification in the state of Idaho, including the Code of Ethics for Idaho Professional Educators. Specifically, Respondent's criminal conviction is in violation of the following provisions of Idaho Code and the Code of Ethics for Idaho Professional Educators:

- a. 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).

b. Ethics Principle I, IDAPA 08.02.02.076.02 (a professional educator abides by all federal, state, and local education laws and statutes; unethical conduct includes the conviction of any felony or misdemeanor offense set forth in Idaho Code § 33-1208).

18. The Hearing Panel has evaluated Respondent's criminal conviction in accordance with Idaho Code § 67-9411 and has considered the following factors:

a. The nature and seriousness of the crime for which Respondent was convicted;

b. The relationship of the crime to the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of the occupation;

c. The passage of time since the commission of the crime;

d. Any evidence of rehabilitation or treatment undertaken by the individual;  
and

e. Any other relevant factor.

19. In consideration of the factors set out above, the Hearing Panel outlined the following while deliberating at the end of the hearing:

a. Nature/seriousness of crime: Respondent admitted fault and was apologetic; the crime was minor, but showed a lack of judgment.

b. Relationship of crime to position as a vice principal/principal: Respondent had been in a position of leadership whose role was partly to be an "ambassador;" the position requires integrity and honor; Respondent's tasks included working with school funds.

c. Passage of time: Not a lot of time had passed between the conviction and the Administrative Complaint being filed by Complainant.

d. Rehabilitation: Respondent has attended counseling and been involved in restorative circles; he has paid his dues and shown remorse.

**FINAL ORDER**

IT IS THE FINAL ORDER of this Hearing Panel, based upon the findings of facts and conclusions of law set forth herein, that Complainant's request for the issuance of a letter of reprimand is GRANTED. The letter of reprimand will be issued to Respondent by the Professional Standards Commission as a separate document.

Dated this 16 day of July, 2021.



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BECKY MEYER  
Hearing Panel Chair

## NOTIFICATION OF PROCEDURAL RIGHTS

THIS IS A FINAL ORDER OF THE HEARING PANEL. Any party may file a petition for reconsideration of this Final Order within 14 days of its service date. The Hearing Panel is required by law to dispose of a petition for reconsideration within 21 days of its filing or the petition for reconsideration will be considered to be denied by operation of law. *See* Idaho Code § 67-5243(3).

Petitions for reconsideration of this Final Order may be filed by mail addressed to the Professional Standards Commission, Department of Education, P.O. Box 83720, Boise, Idaho 83720-0027, or may be delivered to the Department of Education, Len B. Jordan Building, Room 200, 650 West State Street, Boise, Idaho, and must be received within 14 days of the service date of this Final Order.

Pursuant to Idaho Code §§ 33-1209(8), 67-5270, and 67-5272, any party aggrieved by this Final Order or by another Order previously entered in this contested case may obtain judicial review of this Final Order and of all previously issued Orders in this contested case by filing a petition for judicial review in the district court as provided by those sections.

A petition for judicial review must be filed within 28 days of the service date of this Final Order, or, if a petition for reconsideration is timely filed, within 28 days of the service date of a decision on the petition for reconsideration or denial of the petition for reconsideration by operation of law. *See* Idaho Code §§ 67-5246 and 67-5283.

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of August, 2021, I caused to be served a true and correct copy of the foregoing by the following method to:

Darrell D. Jackson  
3010 W. Greenbrier Lane  
Peoria, IL 61614

- U.S. Mail
- Hand Delivery
- Certified Mail, Return Receipt Requested
- Overnight Mail
- Email: grimlee@yahoo.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
- Overnight Mail
- Facsimile: (208) 854-8073
- Email: robert.berry@ag.idaho.gov  
leslie.gottsch@ag.idaho.gov

Idaho State Department of Education  
Professional Standards Commission  
Attn: Annette Schwab  
P.O. Box 83720  
Boise, ID 83720-0027

- U.S. Mail
- Hand Delivery
- Overnight Mail
- Facsimile:
- Email: aschwab@sde.idaho.gov
- Statehouse mail

*/s/ Karen Sheehan*

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KAREN SHEEHAN  
Deputy Attorney General  
Hearing Panel Legal Counsel