IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificate of: Anne M. Bebber, Respondent

Case No. 21704

FINAL ORDER

The Chief Certification Officer for the State of Idaho filed an Administrative Complaint against the teaching certificate issued to Anne M. Bebber, seeking for the Professional Standards Commission to impose discipline on Ms. Bebber’s certificate. See Idaho Code § 33-1209. Because Ms. Bebber did not request a hearing within 30 days, and because Ms. Bebber was determined to be in default by a hearing/presiding officer, the allegations in the Administrative Complaint are treated as admitted, Idaho Code § 33-1209(3), and are incorporated by reference as findings of fact.

Based on these findings, the Professional Standards Commission concludes that Ms. Bebber willfully violated a principle of the Code of Ethics adopted by the State Board of Education. Idaho Code § 33-1208(1)(j). The Commission specifically holds that Ms. Bebber willfully violated Principle VIII of the Code of Ethics that provides, “A professional educator fulfills all terms and obligations detailed in the contract with the local board of education or education agency for the duration of the contract.” Idaho Admin. Code r. 08.02.02.076.09.

Under Idaho Code § 33-1208, the Professional Standards Commission orders that the following discipline (as marked) be imposed on Ms. Bebber’s certificate:

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Final Order – 1
Anne M. Bebber
As requested in the Administrative Complaint

X The discipline requested by the Chief Certification Officer in her Request for Relief in the Administrative Complaint.

Other discipline

_____ Ms. Bebber’s certificate is revoked

_____ Ms. Bebber’s certificate is permanently revoked under Idaho Code § 33-1208(2).

_____ Ms. Bebber’s certificate is suspended for _____ years _____ months

_____ Ms. Bebber’s certificate is suspended indefinitely pending completion of the following conditions:
1. 
2. 
3. 
4. 

_____ Ms. Bebber’s certificate has the following conditions placed upon it:
1. 
2. 
3. 
4. 

_____ A letter of reprimand will be placed in Ms. Bebber’s permanent certification file

This Order is effective on the day it is signed. This Order and the Administrative Complaint, which will be attached to this Order, are public records, and may be made available on the State Department of Education or the Commission’s website.

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Final Order – 2
Anne M. Bebber
RECONSIDERATION AND JUDICIAL REVIEW

This is a final order of the Professional Standards Commission. Any party may file a motion for reconsideration of this order within 14 days of the service date of this order. The agency will dispose of the petition for reconsideration within 21 days of its receipt; if not, the petition will be denied as a matter of law. See Idaho Code § 67-5246. Petitions for reconsideration may be filed by mail addressed to the Professional Standards Commission, State Department of Education, P. O. Box 83720, Boise, ID 83720-0027, or hand delivered to the Commission at 650 West State Street, Second Floor, Boise, ID 83720.

Any party aggrieved by this final order or orders previously issued in this case may seek judicial review of the orders in this case in district court. A party may do this by filing a petition for judicial review in the district court as provided in Idaho Code §§ 67-5270 and 67-5272. The petition must be filed within 28 days of the service date of this final order; or, if a motion for reconsideration is filed, within 28 days of the service of a decision on the motion for reconsideration or denial of the motion as a matter of law. Idaho Code § 67-5273. The filing of a petition for judicial review does not itself stay the effectiveness or enforcement of the agency action. Idaho Code § 67-5274.
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of April, 2018, I caused to be served a true and correct copy of the foregoing by the following method to:

Anne M. Bebber
5880 N. Bremerton Pl.
Boise, ID 83714

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

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.gottsch@ag.idaho.gov

Annette Schwab
Program Specialist
Idaho State Department of Education

Final Order – 4
Anne M. Bebber
IDAHO PROFESSIONAL STANDARDS COMMISSION

In the Matter of the Certificate of:

ANNE M. BEBBER,

Respondent.

Case No. 21704

DEFAULT ORDER

THIS MATTER having come before the Idaho Professional Standards Commission by way of formal Administrative Complaint, pursuant to Idaho Code § 33-1208, and Respondent having failed to contest or otherwise respond to the Administrative Complaint; now, therefore,

IT IS ORDERED that, pursuant to Idaho Code § 67-5242(4) and IDAPA 04.11.01.270 and 700-702, Respondent is in DEFAULT.

DATED this 6th day of December, 2017.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By

Michael S. Gilmore
Presiding Officer
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of December, 2017, I caused to be served a true and correct copy of the foregoing by the following method to:

Anne M. Bebber
5880 N. Bremerton Place
Boise, ID 83714

☑ U.S. Mail
☐ Hand Delivery
☑ Certified Mail, Return Receipt Requested
☐ Overnight Mail
☐ Facsimile:

Robert A. Berry
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010

☐ U.S. Mail
☐ Hand Delivery
☐ Certified Mail, Return Receipt Requested
☐ Facsimile:
☑ Email: robert.berry@ag.idaho.gov
☐ leslie.gottsch@ag.idaho.gov

Lisa Colón-Durham
Chief Certification Officer
Idaho State Department of Education
Professional Standards Commission
P.O. Box 83720
Boise, ID 83720-0027

☐ U.S. Mail
☐ Hand Delivery
☐ Certified Mail, Return Receipt Requested
☐ Facsimile:
☑ Statehouse Mail

Michael S. Gilmore
Presiding Officer
IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificates of: Anne M. Bebber,
Respondent

Case No. 21704

ADMINISTRATIVE COMPLAINT

Lisa Colón Durham, Chief Certification Officer for the State of Idaho, alleges the following against Anne M. Bebber.

GENERAL AVERMENTS

The following general averments are adopted in each count below.


2. 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.

3. Anne M. Bebber (Ms. Bebber) holds the following certificates and endorsements issued under the authority of the Idaho State Board of Education:


5. As part of the contract, Ms. Bebber was assigned to teach English at Caldwell High School.
6. On or about November 3, 2016, Ms. Bebber informed her principal at Caldwell High School that she would no longer be able to teach and was resigning her position.

7. Ms. Bebber expressed her desire to resign from teaching as soon as possible due to her professed feelings of depression.

8. Upon receiving this information, Ms. Bebber was offered assistance from Caldwell School District, including an offer by the principal to hold regular meetings to help manage the classroom; offers of assistance from the Vice Principals; offers to use the Instructional Coach; mentoring and assistance from other teachers; and offers to use the Employee Assistance Program while she worked through her alleged mental health issues.

9. Ms. Bebber did not submit a medical report, doctor’s diagnoses, or other medical documentation to Caldwell High School to support her medical state. Ms. Bebber did not submit a medical report, doctor’s diagnoses, or other medical documentation when requested by the Professional Standards Commission.

10. Ms. Bebber refused the services and assistance offered by Caldwell School District.

11. Ms. Bebber was informed that the Caldwell School District would not release her from her contract prior to May 2017 and was informed that if she chose to resign, she would be reported to the Professional Standards Commission for violating Principal VIII, breach of contract or abandonment of employment.

12. The Caldwell School District Board of Trustees did not approve Ms. Bebber’s resignation and expected her to fulfill her contract through the 2016-2017 school year.


COUNT I

15. Ms. Bebber’s conduct or course of conduct violated Idaho Code § 33-1208(1)(c) ("Breach of the teaching contract").

COUNT II

16. Ms. Bebber’s conduct or course of conduct willfully violated a code of ethics principle, adopted by the Idaho State Board of Education. Idaho Code § 33-1208(1)(j). Specifically, Ms. Bebber 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 education or education agency for the duration of the contract.").

REQUEST FOR RELIEF

The Chief Certification Officer requests that the Commission grant the following relief, as permitted under Idaho Code §§ 33-1208 and 33-1209.

1. That if Ms. Bebber does not request a hearing, the Commission (a) issue a letter of reprimand and (b) complete an approved three-credit ethics course that will not count towards the required professional development credits.

2. That if Ms. Bebber requests a hearing, a hearing be conducted before a hearing panel, where the Chief Certification Officer and Ms. Bebber may present evidence concerning the allegations in this Administrative Complaint, to aid the hearing panel in determining whether Ms. Bebber’s certificates should be disciplined and, if so, what discipline should be imposed.

3. Any other relief that would be just under the circumstances.
Dated this 9th day of June, 2017.

Lisa Colón Durham
Chief Certification Officer

Attorney for the
Chief Certification Officer
Robert A. Berry
Deputy Attorney General
PO Box 83720
Boise, ID 83720-0010
(208) 334-2400
robert.berry@ag.idaho.gov
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9 day of June, 2017, I caused to be served a true and correct copy of the foregoing by the following method to:

Anne M. Bebber
5880 N. Bremerton Pl.
Boise, Idaho 83714

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

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.gottsch@ag.idaho.gov

Shannon H. Haas
Program Specialist
Idaho State Department of Education

ADMINISTRATIVE COMPLAINT - 5
Anne M. Bebber
NOTIFICATION OF PROCEDURAL RIGHTS

The Professional Standards Commission wishes to notify you of the following rights.

An administrative action has been initiated against your certificate(s). Under Idaho Code § 33-1209, if you wish to contest the allegations set forth in the administrative complaint, you must request a hearing. This request must be (1) made not more than 30 days after the date of service (mailing) of the administrative complaint, (2) in writing, and (3) addressed to the state superintendent of public instruction. If you do not request a hearing or do not comply with the requirements for requesting a hearing, the allegations in this administrative complaint will be treated as admitted under Idaho Code § 33-1209(3).

In response to this administrative complaint, you may file an answer to this administrative complaint, but you must file the answer at least 30 days prior to the day of the hearing.

You have the right to be represented by legal counsel, at your own expense, during this administrative proceeding. In addition, you are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents, and other things relevant to the proceedings.

This administrative proceeding is governed by provisions of the Idaho Code, including the Idaho Administrative Procedure Act, and by provisions of the Idaho Administrative Code, including the Idaho Rules of Administrative Procedure of the Attorney General that have been adopted by the Board of Education. You may access these laws and rules online or via the Idaho State Law Library.

To request a hearing, you must deliver your request to the following address or fax number:

Sherri Ybarra
Superintendent of Public Instruction
Re: Professional Standards Commission Hearing
650 West State Street, Room 200
P.O. Box 83720
Boise, ID 83720-0027
Telephone: (208) 332-6800
Facsimile: (208) 334-2228

The State Department of Education receives mailed or hand-delivered documents between the hours of 8:00 a.m. and 5:00 p.m. (mountain time) except Saturdays, Sundays, and holidays. The State Department of Education permits the filing of facsimile copies of documents that do not exceed ten pages, provided that the facsimile transmission is legible and is received before 5:00 p.m. on its due date. It shall be the responsibility of the filing party to verify with the staff of the State Department of Education that any facsimile transmission is successfully received and legible in its entirety.