

**IDAHO PROFESSIONAL STANDARDS COMMISSION**

In the matter of the certificates of:

Case No. 21722

William F. Cook,

**STIPULATION**

Respondent

**BACKGROUND**

The Professional Standards Commission received an allegation of unethical conduct concerning William F. Cook. 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 William F. Cook's certificates. The Executive Committee has recommended the following Stipulation.

**STIPULATION**

1. This is an agreement (Stipulation) between William F. Cook (Mr. Cook) and the Executive Committee (the Executive Committee) of the Professional Standards Commission (the Commission).
2. If Mr. Cook 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 **February 23, 2018**, unless he has been granted an extension.
3. After Mr. Cook 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.

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4. A signed copy of this Stipulation may be submitted via mail or fax to:

Professional Standards Commission  
650 West State Street, 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 teacher certification in Idaho.
6. Mr. Cook holds the following certificates and endorsements issued under the authority of the Idaho State Board of Education:
- a. Standard Elementary Certificate with All Subjects (K-8) endorsement – effective September 1, 2015 – valid until August 31, 2020;
  - b. Standard Exceptional Child Certificate with Exceptional Child Generalist (K-12) endorsement – effective September 1, 2015 – valid until August 31, 2020.
7. Mr. Cook and Mountain Home School District No. 193 (Mountain Home School District) entered into a contract for Mr. Cook to serve as a special education teacher during the 2017-2018 school year.
8. As part of the contract, Mr. Cook was assigned as a special education teacher at Mountain Home High School.
9. During the 2017-2018 school year, Mr. Cook made harassing, inappropriate, insensitive, offensive, and demeaning remarks about or towards students in his classroom and at school. Mr. Cook permitted or encouraged students to make harassing, inappropriate, insensitive, offensive and demeaning remarks in the classroom. Examples of the remarks or statements include, but are not limited to the following:
- a. When discussing a medical lawsuit, Mr. Cook proceeded to tell his classroom that “shit” is in their bowels.

- b. Students and Mr. Cook were observed to swear, including using the words “fucking or fuck.”
- c. Mr. Cook made a comment to the class about “using scissors to cut off someone’s testicles.”
- d. Mr. Cook allowed students to make fun of a student “RM.”
- e. Mr. Cook called a student a “worthless jerk” and made remarks even about this student’s parents, such as “they must have consumed too much mercury, back in the day.”
- f. In response to a student using the phrase, “that sucks” or “you suck,” Mr. Cook responded by saying, “Well, you swallow.”
- g. Mr. Cook was heard saying, “I don’t fucking care what you think.”
- h. Mr. Cook was heard to have used phrases with students, such as, “putting his boot up their butt,” “shove it up his ass,” or “where the sun don’t shine.”
- i. Mr. Cook was heard to tell students “you want this old man to whoop your ass some time?”
- j. Mr. Cook was observed yelling at students, including actually shouting.
- k. Mr. Cook would call a student “short Mexican.”

10. During the relevant time, Mr. Cook further proceeded to share confidential information about students to the entire class. On one occasion, Mr. Cook shared information with the entire classroom about a criminal matter involving a student. On another occasion, Mr. Cook discussed a student’s IEP in front of the entire class.

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11. The Executive Committee determined that probable cause exists for initiating an administrative action against Mr. Cook for violating the following laws and rule governing teacher certification:

a. Mr. Cook'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, Mr. Cook 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.").

b. Mr. Cook'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, Mr. Cook violated Code of Ethics Principle VII (Idaho Admin. Code r. 08.02.02.076.08) ("A professional educator complies with state and federal laws and local school board policies relating to the confidentiality of student and employee records, unless disclosure is required or permitted by law.").

c. Mr. Cook'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, Mr. Cook violated Code of Ethics Principle X.a (Idaho Admin. Code r. 08.02.02.076.11.a) ("Any conduct

that seriously impairs the Certificate holder's ability to teach or perform his professional duties."").

12. Mr. Cook, although not admitting that he violated the laws and rule cited in paragraph 11, acknowledges that there is sufficient evidence to support a finding of a violation of the laws and rule cited in paragraph 11.

### **B. Stipulated Discipline**

13. If this Stipulation is approved by the Commission, the following discipline will be imposed by the Commission on Mr. Cook's certificates:

a. The Commission (a) suspend Mr. Cook's certificates for two years from the date the full Commission approves such a stipulation; (b) complete an approved three-credit boundaries course that will not count towards the required professional development credits; and (c) complete an approved three-credit classroom management course that will not count towards the required professional development credits.

14. Any costs associated with Mr. Cook's compliance with the terms of this Stipulation are his responsibility.

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

### **C. Non-Compliance with this Stipulation**

16. If the Commission or the State Department of Education, or its employees or agents, have reason to believe that Mr. Cook has not complied with the terms of this Stipulation, the Chief Certification Officer may file a Notice of Non-Compliance with the Commission. This Notice of Non-Compliance will be personally served or be served by certified mail on Mr. Cook at his last known address (or on his attorney). After granting Mr. Cook an opportunity to respond, the

Commission may order that he complete the discipline in the original stipulated discipline, may order further discipline in addition to Mr. Cook completing the original stipulated discipline, or may impose other discipline as it sees fit, including suspending or revoking Mr. Cook's certificates.

**D. Presentation of this Stipulation**

17. Once Mr. Cook 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.

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

19. If the Commission modifies this Stipulation, it must receive Mr. Cook's approval on any modification before the Stipulation is effective.

**E. Waiver of Rights**

20. If this Stipulation is approved by the Commission, Mr. Cook 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;
- d. the right to reconsideration of the Commission's orders;
- e. the right to judicial review of the Commission's orders; and
- f. other rights accorded by the Idaho Administrative Procedure Act, and the law and rules governing teacher certification in the State of Idaho.

21. If this Stipulation is approved by the Commission, the Commission may impose discipline upon Mr. Cook's certificates without further process.

22. By signing this Stipulation, Mr. Cook agrees to waive any requirement for a hearing under Idaho Code § 33-1209(3) to be conducted within 90 days of his 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. Cook ultimately rejects a modified stipulation (if Mr. Cook does). If the Commission ultimately rejects this Stipulation or if Mr. Cook ultimately rejects a modified stipulation, and Mr. Cook has requested a hearing, the 90-day hearing timeframe will begin from the ultimate rejection.

**F. General Acknowledgments**

23. This Stipulation contains the entire agreement between the parties, and Mr. Cook is not relying on any other agreement or representation, whether verbal or written.

24. 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.

25. Mr. Cook 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.

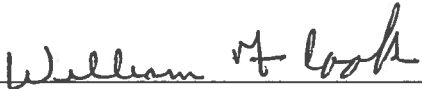
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SIGNATURES

**Respondent**

The respondent, William F. Cook, agrees to this Stipulation.

DATED this 20<sup>th</sup> day of Feb, 2018.

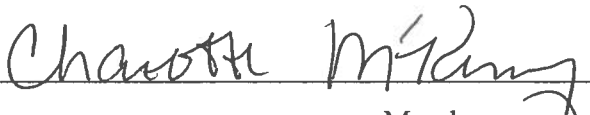
  
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William F. Cook  
Respondent

**Executive Committee**

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

DATED this 6 day of April, 2018.

IDAHO PROFESSIONAL STANDARDS COMMISSION  
EXECUTIVE COMMITTEE

  
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, Member



IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificates of:

William F. Cook,

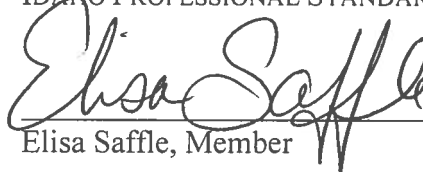
Respondent

Case No. 21722

**CONSENT ORDER**

The Professional Standards Commission orders that the Stipulation, entered between William F. Cook 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 10 day of April, 2018. The discipline listed in the Stipulation is imposed on William F. Cook's certificates under Idaho Code §§ 33-1208 and 33-1209. This is a final agency order, and William F. Cook has waived the right of judicial review.

IDAHO PROFESSIONAL STANDARDS COMMISSION

  
Elisa Saffle, Member

CONSENT ORDER  
William F. Cook

**CERTIFICATE OF SERVICE**


I HEREBY CERTIFY that on this 14<sup>th</sup> day of April, 2018, I caused to be served a true and correct copy of the foregoing by the following method to:

William F. Cook  
865 East 13th North  
Mountain Home, ID 83647

- 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.gottsche@ag.idaho.gov

  
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Annette Schwab  
Program Specialist