

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the) Case No. 21725
certificate of:)
)
Mary Stokes,) **STIPULATION**
)
Respondent.)
_____)

BACKGROUND

The Professional Standards Commission received an allegation of unethical conduct concerning Mary Stokes¹. 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 Mary Stokes's certificate. The Executive Committee has recommended the following Stipulation.

STIPULATION

1. This is an agreement (Stipulation) between Mary Stokes (Ms. Stokes) and the Executive Committee (the Executive Committee) of the Professional Standards Commission (the Commission).

2. If Ms. Stokes 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 February 23, 2018, unless she has been granted an

_____ ¹Ms. Stokes may also be known as, or referred to, as Suzy Stokes.

extension.

3. After Ms. Stokes 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 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 the State of Idaho.

6. Ms. Stokes holds the following certificate and endorsement:

- a. Standard Exceptional Child Certificate with Exceptional Child Generalist (K-12) endorsement - effective September 1, 2016 - valid until August 31, 2021.

7. Ms. Stokes was employed by the Idaho School for the Deaf and the Blind ("ISDB") during the 2015-2016, 2016-2017 and 2017-2018 school years and worked as a Secondary Special Needs teacher.

8. Allegations have been made that during these

school years, Ms. Stokes engaged in inappropriate, insensitive and offensive conduct in relation to students and peers. Allegations have also been made that in addition, Ms. Stokes was often angry, loud and could be overheard yelling at her students. Examples of the allegations include, but are not limited to the following:

Allegations have been made that:

- a. One student had a habit of putting her hands in her mouth and that Ms. Stokes would smack this student's hands down and tell her no.
- b. Another student was in a hammock, refusing to get out, and that Ms. Stokes kicked the student in the buttocks through the hammock when the student refused to get out.
- c. Ms. Stokes became upset with a student, spanked the student and told the student that if she did not leave a para-professional alone, she would spank the student again.
- d. Ms. Stokes would pop a student's pimples with a tool at her desk in front of other students. She would also make comments while doing this such as, "oh, that was a really juicy one."
- e. Ms. Stokes hit students with a fly swatter.
- f. Ms. Stokes "smacked a girl on the butt where she lost balance and wobbled."
- g. Ms. Stokes physically forced a student to take

her coat off.

h. Ms. Stokes hit a student with a yardstick two or three times.

i. Ms. Stokes grabbed a student by the face.

j. On various occasions, Ms. Stokes smelled of alcohol while teaching.

k. Ms. Stokes has grabbed students' hands and wrists, leaving red marks.

l. Ms. Stokes would restrain students by grabbing and holding their arms or hands in a forceful manner.

m. Ms. Stokes needed to place a student in time out. She was gruff, rough, yelled at the student, grabbed her arm, and yanked the student out of a chair.

n. Ms. Stokes was allowed to keep a "service" dog in her classroom. However, the dog Ms. Stokes brought into her classroom was not a trained "service" dog. The dog urinated and defecated in Ms. Stokes's classroom, in areas where students crawl around and play on the floor.

o. On April 19, 2017, Ms. Stokes took at least two Ativan pills, causing her to become extremely tired and woozy. Ms. Stokes then sat on a bean bag chair and fell asleep for two and a half hours with students still present in the classroom. Assistant Principal, David Sparks, woke Ms. Stokes up and she was startled and disoriented at that time.

9. The Executive Committee determined that probable cause exists for initiating an administrative action against Ms. Stokes based on potential violations of the following laws and rules governing teacher certification:

a. Ms. Stokes's conduct or course of conduct, if established, would mean that Ms. Stokes 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, Ms. Stokes could be deemed to have 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. Ms. Stokes's conduct or course of conduct could cause a determination, if established, that Ms. Stokes 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, Ms. Stokes could be deemed to have violated Code of Ethics Principle X (Idaho

Admin. Code r. 08.02.02.076.11) (A professional educator ensures just and equitable treatment for all members of the profession in the exercise of academic freedom, professional rights and responsibilities while following generally recognized professional principles.)

c. Ms. Stokes's conduct or course of conduct, if established, could cause a determination that Ms. Stokes 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, Ms. Stokes' conduct could be deemed to be a violation of Code of Ethics Principle III (Idaho Admin. Code r. 08.02.02.076.04) (A professional educator refrains from the abuse of alcohol or drugs during the course of professional practice.)

10. Ms. Stokes is contesting and disputing the allegations. However, although not admitting that she violated the laws and rules cited in paragraph 9, acknowledges that such allegations, if established, would be a sufficient basis for a determination that she was in violation of the laws and rules cited in paragraph 9.

B. Stipulated Discipline

STIPULATION - 6
Mary Stokes

11. If this Stipulation is approved by the Commission, then it is stipulated by the parties that the following action will be taken by the Commission on Ms. Stokes's certificate:

a. The Commission will revoke Ms. Stokes' certificate.

12. During the pendency of this Stipulation, Ms. Stokes will comply with all laws and rules governing teacher certification in Idaho.

C. Presentation of this Stipulation

13. Once Ms. Stokes 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.

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

15. If the Commission modifies this Stipulation, it must receive Ms. Stokes's approval on any modification before the Stipulation is effective.

D. Waiver of Rights

16. If this Stipulation is approved by the Commission, Ms. Stokes 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.

17. If this Stipulation is approved the Commission, the Commission may take action by revoking Ms. Stokes's certificate without further process.

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

E. General Acknowledgements

STIPULATION - 8
Mary Stokes

19. This Stipulation contains the entire agreement between the parties, and Ms. Stokes is not relying on any other agreement or representation, whether verbal or written.

20. 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 the action taken to the national clearinghouse for teacher certification.


21. Ms. Stokes 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, Mary Stokes, agrees to this Stipulation.

DATED this 19 day of March, 2018.



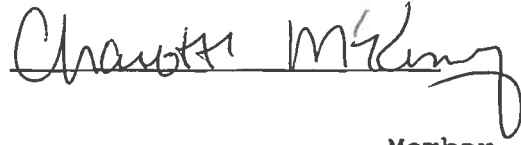
Mary Stokes
Respondent

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


_____, Member

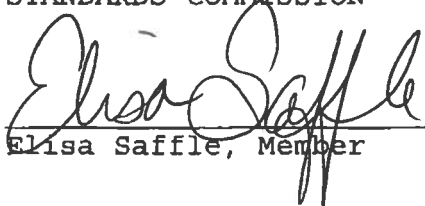
IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the) Case No. 21725
certificate of:)
)
Mary Stokes,) CONSENT ORDER
)
Respondent.)
_____)

The Professional Standards Commission orders that the Stipulation, entered between Mary Stokes and the Executive Committee, is adopted as the informal disposition of this case, as permitted under Idaho Code § 67-5241. This order will be effective on the date it is signed. The stipulated resolution, as listed in the Stipulation, is imposed on Mary Stokes's certificate under Idaho Code §§ 33-1208 and 33-1209. This is a final agency order, and Mary Stokes has waived the right of reconsideration and the right to judicial review.

Dated this 6th day of April, 2018.

IDAHO PROFESSIONAL
STANDARDS COMMISSION


Elisa Saffle, Member

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:

Mary Stokes
1492 S. 1560 E.
Gooding, ID 83330

- 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