

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificates of:

Case No. 21637

Brett Taylor,

STIPULATION

Respondent

BACKGROUND

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

STIPULATION

1. This is an agreement (Stipulation) between Brett Taylor (Mr. Taylor) and the Executive Committee (the Executive Committee) of the Professional Standards Commission (the Commission).

2. If Mr. Taylor 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 **August 1, 2017**, unless he has been granted an extension.

3. After Mr. Taylor 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 Professional Standards Commission (Commission) regulates teacher certification in Idaho.

6. Brett Taylor (Mr. Taylor) holds the following certificate and endorsement, issued under the authority of the Idaho State Board of Education:

- a. Standard Secondary Certificate with Social Studies 6-12, History 6-12, and American Government/Political Science 6-12 endorsements – effective September 1, 2014 – valid until August 31, 2019;

7. During the relevant times, Mr. Taylor was employed by the Idaho Falls School District (“District”) as a teacher.

8. During the 2015-2016 school year, it was alleged that Mr. Taylor made inappropriate, insensitive, demeaning and racist remarks about or towards people of minority, including African American students in his classroom and at school. It was further alleged that Mr. Taylor permitted or encouraged students to make inappropriate, insensitive, demeaning and racist remarks about people of minority, including African American students. Mr. Taylor strongly denies that he made such remarks, or knowingly allowed such remarks to be made.

9. The District has adopted policy (Board Policy 1005.8.2(e)) that defines harassment “as any conduct whether verbal, written, graphic, or physical, relating to a student’s race, national origin, religion, sexual orientation, color, disability, or sex that is sufficiently severe, pervasive, or persistent as to: interfere with or limit the ability of a student to participate

in, or benefit from, the district's programs or activities; create an intimidating, threatening, or abusive educational environment; substantially or unreasonably interfere with a student's academic performance; or otherwise adversely affect a student's educational opportunities." The policy further defines actions that may constitute harassment to include, but not be limited to: "verbal acts (i.e., demeaning jokes, bullying, taunting, hazing, intimidation, hate speech, slurs, derogatory nicknaming, innuendoes, or other negative remarks).

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

- 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. 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.").

11. Mr. Taylor, although not admitting that he violated the laws and rule cited in paragraph 10, acknowledges that there is sufficient evidence to support a finding of a violation of the laws and rule cited in paragraph 10.

B. Stipulated Discipline

12. If this Stipulation is approved by the Commission, the following discipline will be imposed by the Commission on Mr. Taylor's certificate:

- a. Mr. Taylor's certificate will be suspended from June 1, 2017, through August 15, 2017;

- b. Mr. Taylor must prepare a professional development course and have said course approved by the PSC administration prior to its presentation;
- c. Mr. Taylor must present this course to coaches, staff and student athletes by August 15, 2017;
- d. Mr. Taylor's course must deal with cultural responsiveness and racial issues; and
- e. Mr. Taylor must submit verification to the PSC by an administrator that the course was given and identify the number of attendees.

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

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

C. Non-Compliance with this Stipulation

15. If the Commission or the State Department of Education, or its employees or agents, have reason to believe that Mr. Taylor 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. Taylor at her last known address (or on her attorney). After granting Mr. Taylor 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. Taylor completing the original stipulated discipline, or may impose other discipline as it sees fit, including suspending or revoking Mr. Taylor's certificate.