

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificate of:

Case No. 21820

Steven Voda,

STIPULATION

Respondent

BACKGROUND

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

STIPULATION

1. This is an agreement (Stipulation) between Steven Voda (Mr. Voda) and the Executive Committee (the Executive Committee) of the Professional Standards Commission (the Commission).
2. If Mr. Voda 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 **December 7, 2018**, unless he has been granted an extension.
3. After Mr. Voda 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. Voda holds the following certificate and endorsements issued under the authority of the Idaho State Board of Education:
 - a. Standard Secondary certificate with endorsements in English (6-12) and History (6-12) effective September 1, 2014 through August 31, 2019.
7. Mr. Voda was employed by Shelley School District No. 60 (“Shelley”) for the 2017-2018 school year.
8. On or around May 24, 2018, it was reported that Mr. Voda had used his school computer to search for pornographic images and/or sites.
9. When this was reported to the Shelley middle school administration, Mr. Voda had already resigned.
10. Mr. Voda was subsequently hired by Bonneville Joint School District No. 93 (“Bonneville”) for the 2018-2019 school year.
11. When Bonneville requested Mr. Voda’s personnel file from Shelley pursuant to Idaho Code § 33-1210, Bonneville learned of the reported incident.
12. Bonneville then asked Mr. Voda to present a written plan with specific actions that he would take to ensure this problem would not occur during his employment with Bonneville.
13. Mr. Voda presented the plan to Bonneville, which included professional counseling, participating in a support group, facing his monitor towards the door of his classroom,

having frequent unscheduled visits to his classroom by administrators, and monthly follow-up meetings with Bonneville staff.

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

- a. Mr. Voda'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, Mr. Voda violated Code of Ethics Principle V (Idaho Admin. Code r. 08.02.02.076.06.f) ("A professional education entrusted with public funds and property honors that trust with a high level of honesty, accuracy, and responsibility. Unethical conduct includes, but is not limited to: use of a school computers to deliberately view or print pornography.")

15. Mr. Voda admits that he violated the laws and rules cited in paragraph 14 and acknowledges that there is sufficient evidence to support a finding of a violation of the laws and rule cited in paragraph 14.

B. STIPULATED DISCIPLINE

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

- a. The Commission issue and place a letter of reprimand in Mr. Voda's professional certification file.
- b. Further conditions would have been placed on Mr. Voda's certificate, but in light of the remedial plan agreed to and adopted with Bonneville, no further conditions will be imposed.

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

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

C. PRESENTATION OF THIS STIPULATION

19. Once Mr. Voda 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.

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

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

D. WAIVER OF RIGHTS

22. If this Stipulation is approved by the Commission, Mr. Voda 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.

23. If this Stipulation is approved by the Commission, the Commission may impose discipline upon Mr. Voda's certificate without further process.

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

F. GENERAL ACKNOWLEDGMENTS

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

26. 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.

27. Mr. Voda 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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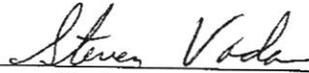
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SIGNATURES

Respondent

The respondent, Steven Voda, agrees to this Stipulation.

DATED this 6 day of December, 2018.



Steven Voda
Respondent

Executive Committee

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

DATED this 24 day of January, 2019.

IDAHO PROFESSIONAL STANDARDS COMMISSION
EXECUTIVE COMMITTEE



_____, Member

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificate of:

Steven Voda

Respondent

Case No. 21820

CONSENT ORDER

The Professional Standards Commission orders that the Stipulation, entered between Steven Voda 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 24 day of January, 2019. The discipline listed in the Stipulation is imposed on Steven Voda's certificate under Idaho Code §§ 33-1208 and 33-1209. This is a final agency order, and Steven Voda has waived the right of judicial review.

IDAHO PROFESSIONAL STANDARDS COMMISSION



Elisa Saffle, Member

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of January, 2019, I caused to be served a true and correct copy of the foregoing by the following method to:

[REDACTED]

- 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



STATE OF IDAHO
PROFESSIONAL STANDARDS COMMISSION
STATE DEPARTMENT OF EDUCATION
PO BOX 83720
BOISE, IDAHO 83720-0027

OFFICE
650 W State Street
PHONE
(208) 332-6884
FAX
(208) 334-2228
SPEECH/HEARING IMPAIRED
(800) 377-3529

RE: Steven Voda
Professional Standards Commission Case No. 21820

LETTER OF REPRIMAND

The Professional Standards Commission issues a formal reprimand to Steven Voda.

The Executive Committee found that probable cause existed to warrant the filing of an administrative complaint against Mr. Voda's certificate by the Chief Certification Officer. In lieu of proceeding to hearing, Mr. Voda stipulated to discipline through this letter of reprimand for using his school computer to search for pornographic images and/or sites. Mr. Voda is hereby reprimanded for such behavior. The Chief Certification Officer is directed to issue and place this letter of reprimand in Mr. Voda's certification file.

Dated this 28 day of January, 2019.

IDAHO STATE DEPARTMENT OF EDUCATION

Lisa Colon Durham, Chief Certification Officer

c: Robert A. Berry, Attorney for the Chief Certification Officer