

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificate of:

Jeffrey Kantola,

Respondent

Case No. 21635

STIPULATION

BACKGROUND

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

STIPULATION

1. This is an agreement (Stipulation) between Jeffrey Kantola (Mr. Kantola) and the Executive Committee (the Executive Committee) of the Professional Standards Commission (the Commission).
2. After Mr. Kantola 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.

3. 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

4. The Commission regulates teacher certification in the State of Idaho.
5. Mr. Kantola holds the following certificate and endorsements:
 - a. (current) Standard Secondary Certificate with Physical Science 6-12 and Biological Science 6-12 Endorsements – effective June 16, 2016 – valid until August 31, 2021.
 - b. (past) Interim Standard Secondary Certificate with Biological Science 6-12 Endorsement – effective March 16, 2015 – valid until August 31, 2018.
 - c. (past) Alternative Authorization / Teacher to New Endorsement for Physical Science 6-12 Endorsement – effective October 4, 2015 – valid until August 31, 2016.
6. In June 2016, Mr. Kantola submitted an application for a certificate to the Certification Department of the State Department of Education.
7. In that application, Mr. Kantola marked “NO” to a question that asked whether he had ever had disciplinary action taken against a professional license.
8. Prior to the 2016 application for a teaching certificate, Mr. Kantola held a Washington chiropractic license.
9. In 2002, the State of Washington Department of Health Chiropractic Quality Assurance Commission entered an order adopting a stipulation between it and Mr. Kantola.

10. In the 2002 stipulation, Mr. Kantola agreed that he had had a license to practice as a chiropractor, that he had a sexual relationship with a patient and had a sexual relationship with a patient/employee, and that there was evidence that he violated RCW 18.130.180 and WAC 246-808-590, as they apply to the governing of the practice of chiropractic in Washington state.

11. As part of the stipulation, Mr. Kantola's chiropractor license was suspended for a period of time.

12. Mr. Kantola did not report this discipline of his professional license in the 2016 application to the Idaho State Department of Education. Mr. Kantola reports that he did disclose the Washington incident to his building administrator and the school district employer prior to being hired.

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

- a. Idaho Code § 33-1208(1)(d) ("Making any material statement of fact in the application for a certificate, which the applicant knows to be false.").
- b. 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").
- c. Code of Ethics Principle IV (Idaho Admin. Code r. 08.02.02.076.05) ("A professional educator exemplifies honesty and integrity in the course of professional practice.").

14. Mr. Kantola, although not admitting that he violated the laws and rules cited in paragraph 133, acknowledges that there is sufficient evidence to support a finding of a violation of the laws and rules cited in paragraph 13.

B. Stipulated Discipline

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

- a. A letter of reprimand will be placed in Mr. Kantola's permanent certification file. A copy of that letter of reprimand is attached to this stipulation.

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

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

C. Presentation of this Stipulation

18. Once Mr. Kantola 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.

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

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

D. Waiver of Rights

21. If this Stipulation is approved by the Commission, Mr. Kantola 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.

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

23. By signing this Stipulation, Mr. Kantola 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. Kantola ultimately rejects a modified stipulation (if Mr. Kantola does). If the Commission ultimately rejects this Stipulation or if Mr. Kantola ultimately rejects a modified stipulation, and Mr. Kantola has requested a hearing, the 90-day hearing timeframe will begin from the ultimate rejection.

E. General Acknowledgments

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

25. 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.

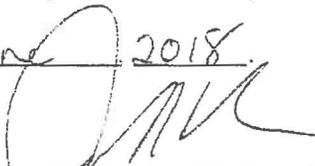
26. Mr. Kantola agrees that he has read this Stipulation, has had the opportunity to discuss it with legal counsel, if he so chose, and understands that by signing below, he will be agreeing to the terms of this Stipulation.

SIGNATURES

Respondent

The respondent, Jeffrey Kantola, agrees to this Stipulation.

DATED this 6th day of June, 2018.



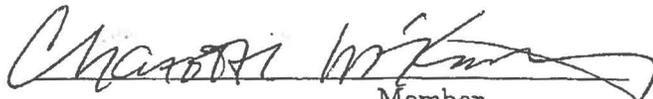
Jeffrey Kantola
Respondent

Executive Committee

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

DATED this 25 day of June.

IDAHO PROFESSIONAL STANDARDS
COMMISSION EXECUTIVE COMMITTEE


_____, Member

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificate of:

Jeffrey Kantola,

Respondent

Case No. 21635

CONSENT ORDER

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

Dated this 26 day of June, 2018.

IDAHO PROFESSIONAL STANDARDS
COMMISSION


Elisa Saffle, Member

CERTIFICATE OF SERVICE

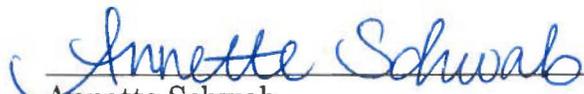
I HEREBY CERTIFY that on this 8th day of August, 2018 I caused to be served a true and correct copy of the foregoing by the following method to:

Paul J. Stark
General Counsel
Idaho Education Association
620 N. Sixth St.
Boise, ID 83702

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

Brian V. Church
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:
brian.church@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: Jeffrey Kantola
Professional Standards Commission Case No. 21635

LETTER OF REPRIMAND

The Professional Standards Commission issues a formal reprimand to Jeffrey Kantola (Mr. Kantola).

In June 2016, Mr. Kantola submitted an application for a certificate to the Certification Department of the State Department of Education. In that application, Mr. Kantola marked "NO" to a question that asked whether he had ever had disciplinary action taken against a professional license.

Prior to the 2016 application for a teaching certificate, Mr. Kantola held a Washington chiropractic license. In 2002, the State of Washington Department of Health Chiropractic Quality Assurance Commission entered an order adopting a stipulation between it and Mr. Kantola.

In the 2002 stipulation, Mr. Kantola agreed that he had had a license to practice as a chiropractor, that he had a sexual relationship with a patient and had a sexual relationship with a patient/employee, and that there was evidence that he violated RCW 18.130.180 and WAC 246-808-590, as they apply to the practice of chiropractic in Washington state. As part of the stipulation, Mr. Kantola's chiropractor license was suspended for a period of time. Mr. Kantola did not report this discipline of his professional license in the 2016 application to the Idaho State Department of Education. Mr. Kantola reports that he did disclose the Washington incident to his building administrator and the school district employer prior to being hired.

Mr. Kantola, although not admitting that he violated the following laws and rules governing teacher certification, acknowledges that there is sufficient evidence to support a finding of a violation of the following laws and rules governing teacher certification:

- a. Idaho Code § 33-1208(1)(d) ("Making any material statement of fact in the application for a certificate, which the applicant knows to be false.").
- b. 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").



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c. Code of Ethics Principle IV (Idaho Admin. Code r. 08.02.02.076.05) (“A professional educator exemplifies honesty and integrity in the course of professional practice.”).

A copy of this letter of reprimand will be placed in Mr. Kantola’s certification file.

Dated this 8 day of August, 2018.

IDAHO PROFESSIONAL STANDARDS
COMMISSION

Lisa Colon Durham, Chief Certification Officer

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