IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificates of:  
Alan Dunn,  
Respondent  

Case No. 21633  
STIPULATION

Alan Dunn (Mr. Dunn) and the Professional Standards Commission (the Commission) enter the following agreement.

1. An administrative complaint was filed on July 6, 2017 alleging that Mr. Dunn had caused to be uploaded identical evaluation scores regarding the evaluation of personnel within the Sugar-Salem School District for the 2013-2014, 2014-2015 and 2015-2016 school years.

2. The administrative complaint alleged that this conduct violated Idaho Code § 33-1208(1)(j), specifically Code of Ethics Principal IV.

3. In lieu of requesting a hearing, the parties have agreed to settle this matter and agreed to entry of the proposed discipline within the administrative complaint. Accordingly, the parties stipulate and agree that a consent order may be entered into by the Commission at the next scheduled meeting, placing a letter of reprimand in Mr. Dunn’s file and that entrance of the consent order fully and finally resolves this administrative action.

Signature of the Professional Standards Commission

After an open meeting in which this settlement agreement was presented for the Professional Standards Commission’s approval, and having reviewed this settlement agreement
with legal counsel, the Professional Standards Commission voted to approve the settlement agreement. The Professional Standards Commission agrees to be bound by this settlement agreement, agrees to take the actions necessary to effectuate the agreement, and has designated Charlotte McKinney, a member of the Professional Standards Commission, to sign the settlement agreement.

Charlotte McKinney
Member
Professional Standards Commission

Signature of Alan Dunn

Having reviewed this settlement agreement with legal counsel, Alan Dunn approves of the settlement agreement. Alan Dunn agrees to be bound by this settlement agreement.

Alan Dunn

Date
IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificates of: Alan Dunn,

Respondent

Case No. 21633

CONSENT ORDER

The Chief Certification Officer for the State of Idaho filed an administrative complaint against the certificates issued to Alan Dunn (Mr. Dunn), seeking for the Professional Standards Commission (the Commission) to impose discipline on Mr. Dunn's certificate. See Idaho Code § 33-1209. The administrative complaint alleged that Mr. Dunn willfully violated Code of Ethics Principle IV; Idaho Code § 33-1208(1)(j); Idaho Admin. Code rr. 08.02.02.076.05.e.

Before a hearing was conducted, Mr. Dunn and the Commission (amongst other parties), entered into a stipulation that resolves this contested case. Therefore, in accordance with the stipulation, the Commission enters this order. See Idaho Code § 67-5241(1); see also Idaho Code § 33-1208. The Commission imposes the following discipline:

a. A letter of reprimand will be placed in Mr. Dunn's permanent certification file.

Mr. Dunn has waived the right of judicial review and the right of reconsideration. This order is effective on the day it is signed. This order and the administrative complaint are public records and may be made available on the State Department of Education or the Commission's website.
DATED this 21 day of September, 2017.

[Signature]

MEMBER
Elisa Saffle
Idaho Professional Standards Commission

Consent Order – 2 of 4
Alan Dunn- Case No. 21633
RECONSIDERATION AND JUDICIAL REVIEW

Mr. Dunn has waived the right of judicial review and the right of reconsideration.

Standard language:

This is a final order of the Professional Standards Commission. Any party may file a motion for reconsideration of this order within 14 days of the service date of this order. The agency will dispose of the petition for reconsideration within 21 days of its receipt; if not, the petition will be denied as a matter of law. See Idaho Code § 67-5246. Petitions for reconsideration may be filed by mail addressed to the Professional Standards Commission, State Department of Education, PO Box 83720, Boise, ID 83720-0027, or hand delivered to the Commission at 650 West State Street, Second Floor, Boise, ID 83720.

Any party aggrieved by this final order or orders previously issued in this case may seek judicial review of the orders in this case in district court. A party may do this by filing a petition for judicial review in the district court as provided in Idaho Code §§ 67-5270 and 67-5272. The petition must be filed within 28 days of the service date of this final order; or, if a motion for reconsideration is filed, within 28 days of the service of a decision on the motion for reconsideration or denial of the motion as a matter of law. Idaho Code § 67-5273. The filing of a petition for judicial review does not itself stay the effectiveness or enforcement of the agency action. Idaho Code § 67-5274.
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31 day of Sept., 2017, I caused to be served a true and correct copy of the foregoing by the following method to:

Scott Marotz  
Anderson Julian & Hull  
250 S. 5th St., Ste. 700  
Boise, Idaho 83707

[ ] U.S. Mail  
[ ] Hand Delivery  
[ ] Certified Mail, Return Receipt Requested  
[ ] Overnight Mail  
[ ] Facsimile: (208) 854-8073  
[ ] Email:

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

Shannon H. Haas  
Program Specialist  
Idaho State Department of Education

Consent Order – 4 of 4  
Alan Dunn- Case No. 21633
RE: Alan Dunn
Professional Standards Commission Case No. 21633

LETTER OF REPRIMAND

The Professional Standards Commission issues a formal reprimand to Alan Dunn.

On July 6, 2017, an administrative complaint was filed alleging that Mr. Dunn had caused to be uploaded identical evaluation scores regarding the evaluation of personnel within the Sugar-Salem School District for the 2013-2014, 2014-2015 and 2015-2016 school years. During these years, local school districts were required to report the rankings of individual certificated personnel evaluations to the State Department of Education annually for State and Federal reporting purposes. Mr. Dunn had previously questioned that the State did not need to know this information about District personnel, so he instructed staff to upload identical scores. The administrative complaint alleged that this conduct violated Idaho Code § 33-1208(1)(j), specifically Code of Ethics Principal IV. As part of the requested relief, the Professional Standards Commission requested issuance of a letter of reprimand should Mr. Dunn not request a hearing.

Mr. Dunn has agreed to not request a hearing. Accordingly, the Chief Certification Officer is reprimanding Mr. Dunn and placing this letter of reprimand in Mr. Dunn’s certification file.

Dated this 30th day of September, 2017.

IDAHO STATE DEPARTMENT OF EDUCATION

Lisa Colón Durham
Chief Certification Officer

cc: Alan Dunn, Respondent
    Scott Marotz, Respondent’s Counsel
    Robert A. Berry, Attorney for the Chief Certification Officer