

**IDAHO PROFESSIONAL STANDARDS COMMISSION**

In the matter of the certificate of:

Brent Schindler,

Respondent

Case No. 22302

**STIPULATION**

**BACKGROUND**

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

**STIPULATION**

1. This is an agreement (Stipulation) between Brent Schindler (Mr. Schindler) and the Executive Committee (the Executive Committee) of the Professional Standards Commission (the Commission).
2. If Mr. Schindler 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 May 15, 2023, unless he has been granted an extension.
3. After Mr. Schindler 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 W. State St. 2<sup>nd</sup> 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 educator certification in Idaho.

6. Mr. Schindler holds the following certificate and endorsement issued under the authority of the Idaho State Board of Education:

- a. Standard Instructional Certificate, with History (6-12) and American Government/Political Science (6-12) endorsements, effective September 1, 2020, through August 31, 2025.

7. Mr. Schindler made a material misrepresentation on an application for teacher certification, signed by him on November 26, 2018, and submitted by him. In response to the questions "Have you ever had disciplinary action taken against a professional license/certificate?" and "Have you ever voluntarily surrendered a professional license/certificate to avoid disciplinary proceedings by a professional licensing authority?" Mr. Schindler did not mark yes or no to either question. Mr. Schindler wrote a note on the application that stated, "I surrendered my State Bar certificate when I ended my law practice." Mr. Schindler did this even though disciplinary action had been taken against his licenses to practice law in Michigan and California. His license to practice law in Michigan was suspended on April 28, 2006, then his license to practice law in Michigan was revoked effective November 14, 2006, and he was disbarred in California by order entered on September 6, 2007.

8. Mr. Schindler made a material misrepresentation on an application for teacher certification signed by him on November 13, 2020, and submitted by him. In response to the

questions “Have you ever had disciplinary action taken against a professional license/certificate?” and “Have you ever voluntarily surrendered a professional license/certificate to avoid disciplinary proceedings by a professional licensing authority?” Mr. Schindler marked each box “No.” Mr. Schindler did this even though disciplinary action had been taken against his licenses to practice law in Michigan and California. His license to practice law in Michigan was suspended on April 28, 2006, then his license to practice law in Michigan was revoked effective November 14, 2006, and he was disbarred in California by order entered on September 6, 2007.

9. Mr. Schindler made a material misrepresentation on an application for Alternative Authorization signed by him on December 9, 2022, and submitted by him. In response to the question “Have you ever had disciplinary action taken against a professional license/certificate?” Mr. Schindler marked “No.” In response to the question “Have you ever voluntarily surrendered a professional license/certificate to avoid disciplinary proceedings by a professional licensing authority?” Mr. Schindler marked the box “No” and wrote “Prior licenses lapsed.” Mr. Schindler did this even though disciplinary action had been taken against his licenses to practice law in Michigan and California. His license to practice law in Michigan was suspended on April 28, 2006, then his license to practice law in Michigan was revoked effective November 14, 2006, and he was disbarred in California by order entered on September 6, 2007.

10. On each of the applications referenced in paragraphs 7, 8, and 9 above, Mr. Schindler marked with an X the statement, “I attest and affirm that all statements made by me on this application are true and correct to the best of my knowledge.”

11. On each of the applications referenced in paragraphs 7, 8, and 9 above, Mr. Schindler marked with an x the statement, “I understand that it is a violation of the Code of Ethics for Idaho Professional Educators to make any false statements on this application or required

documents. Disciplinary action, which may include revocation, suspension, denial, letter of reprimand, or conditions, may be imposed under Section 33-1208, Idaho Code.”

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

- a. Mr. Schindler’s conduct or course of conduct willfully violated Idaho Code § 33-1208(1)(d)(The professional standards commission may deny, revoke, suspend, or place reasonable conditions on any certificate issued under section 33-1201 where the applicant makes any material statement of fact in the application for a certificate that the applicant knows to be false.).

13. Mr. Schindler admits that he violated the laws and rules cited in paragraph 12 and acknowledges that there is sufficient evidence to support a finding of a violation of the laws and rules cited in paragraph 12.

#### **B. STIPULATED DISCIPLINE**

14. If this Stipulation is approved by the Commission, the following discipline will be imposed by the Commission on Mr. Schindler’s certificate:

- a. Brent Schindler’s certificates will be indefinitely suspended pending his completion of:
  - i. An approved ethics course, which course may not be used for renewal purposes;
  - ii. Completion of the course, “Academic Integrity – Understanding Dishonesty” or another similar course, which course may not be used for renewal; and

iii. Completion and submission of a letter to the Professional Standards Commission explaining all Michigan and California professional discipline orders, with a copy of each order attached to the letter.

b. Any costs associated with Mr. Schindler's compliance with the above disciplines shall be his responsibility.

15. Any costs associated with 14. Mr. Schindler's compliance with the terms of this Stipulation are his responsibility.

16. During the pendency of this Stipulation 13. Mr. Schindler will comply with all laws and rules governing educator certification in Idaho.

#### **C. PRESENTATION OF THIS STIPULATION**

17. Once Mr. Schindler 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.

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

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

#### **D. WAIVER OF RIGHTS**

20. If this Stipulation is approved by the Commission, Mr. Schindler 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;

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

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

#### **E. GENERAL ACKNOWLEDGMENTS**

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

24. 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.

25. Mr. Schindler 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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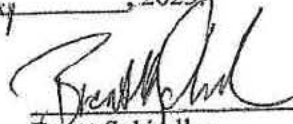
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**SIGNATURES**

**Respondent**

The Respondent, Brent Schindler, agrees to this Stipulation.

DATED this 25<sup>th</sup> day of May, 2023.

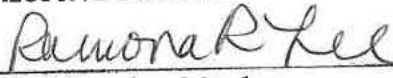
  
\_\_\_\_\_  
Brent Schindler  
Respondent

**Executive Committee**

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

DATED this 21<sup>st</sup> day of September, 2023.

IDAHO PROFESSIONAL STANDARDS COMMISSION  
EXECUTIVE COMMITTEE

  
\_\_\_\_\_  
~~Chanel Harming~~, Member  
Ramona Lee

**IDAHO PROFESSIONAL STANDARDS COMMISSION**

In the matter of the certificate of:

Brent Schindler,

Respondent

Case No. 22302

**CONSENT ORDER**

The Professional Standards Commission orders that the Stipulation, entered between Brent Schindler 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 21<sup>st</sup> day of September, 2023. The discipline listed in the Stipulation is imposed on Brent Schindler's certificates under Idaho Code §§ 33-1208 and 33-1209. This is a final agency order, and Brent Schindler has waived the right of judicial review.

IDAHO PROFESSIONAL STANDARDS COMMISSION

  
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Karen Pyron, Member



**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 25<sup>th</sup> day of September, 2023, I caused to be served a true and correct copy of the foregoing by the following method to:


Brent Schindler, Respondent



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

*Attorney for the  
Chief Certification Officer*  
James E. ("Jim") Rice  
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: jim.rice@ag.idaho.gov  
colleen.funk@ag.idaho.gov

  
Annette Schwab  
Program Specialist