SETTLEMENT AGREEMENT

General Provisions

1. This is a settlement agreement to resolve a contested case initiated by the Professional Standards Commission against Clayton Hatfield.

2. The parties to this settlement agreement are the Professional Standards Commission (the Commission) and Clayton Hatfield (Mr. Hatfield).

3. The Commission is represented by Deputy Attorneys General Steven L. Olsen and Brian V. Church.

4. Mr. Hatfield is represented by attorney Paul Stark.

5. This agreement, which is governed by Idaho law, is the entire agreement between the parties. The parties are not relying on any other agreement or representation pertaining to the subject matter of this settlement agreement, whether verbal or written. Any modification to this agreement must be in writing and signed by all parties to this agreement.

6. This agreement will be binding on the parties when each party (or the appropriate representative) has signed it.

7. Once each party has signed the agreement, the parties agree that the agreement to stay the proceedings previously entered by the parties will be vacated.

8. A copy of this settlement agreement, once signed by all parties, will be maintained by the Commission or the Chief Certification Officer in Mr. Hatfield's permanent certification file.

9. The parties' settlement does not constitute an admission by any party, but merely resolves the pending district court action and the contested case.

10. If any provision of this settlement agreement is invalid or unenforceable, the remaining provisions will not be affected.
Clayton Hatfield's Contested Case

11. In consideration of reaching this settlement agreement, Mr. Hatfield agrees that the Commission may enter a final order, in Professional Standards Commission Case No. 21505 (In the matter of the certificate of Clayton B. Hatfield), a contested case, resolving the case and imposing the following discipline:

   a. A letter of reprimand will be placed in Mr. Hatfield's permanent certification file; and
   b. A condition will be placed on Mr. Hatfield's current certificate that he must complete a Commission-approved ethics course.

12. Although the Commission has, in other cases, prohibited ethics or professional boundaries courses from counting towards the required professional development credits needed by an educator to renew his certificate, see Idaho Admin. Code r. 08.02.02.060, the Commission will *not* impose that prohibition in Mr. Hatfield's case. Any ethics or boundaries course must still meet the Idaho State Board of Education's rule at Idaho Admin. Code r. 08.02.02.060, in order for it to be counted toward the renewal of the educator's certificate.

13. If this settlement agreement is approved by the Commission, Mr. Hatfield 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.

14. Mr. Hatfield also releases, acquits and forever discharges the Commission and its members, staff, and agents, and the Chief Certification Officer, from any and all causes of actions, claims and demands of any kind related to this contested case, known or unknown, contingent or mature.

   (signatures begin on the next page)
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 Elisa Saffle, a member of the Professional Standards Commission, to sign the settlement agreement.

Elisa Saffle
Member
Professional Standards Commission

09/15/2017
Signature of Clayton Hatfield

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

Signed: Clayton Hatfield

Date: 8/28/17
Re: Clayton B. Hatfield
Professional Standards Commission Case No. 21505

LETTER OF REPRIMAND

The Professional Standards Commission (the Commission) issues a formal reprimand to Clayton B. Hatfield (Mr. Hatfield).

The Chief Certification Officer filed an administrative complaint against the teaching certificate issued to Mr. Hatfield, seeking for the Commission to impose discipline on Mr. Hatfield's certificate. See Idaho Code § 33-1209. The administrative complaint alleged that Mr. Hatfield willfully violated Code of Ethics Principles II and VII. Idaho Code § 33-1208(1)(j); Idaho Admin. Code rr. 08.02.02.076.03 and .08.

Before a hearing was conducted, Mr. Hatfield and the Commission entered into a settlement agreement that resolved the contested case. Therefore, in accordance with the settlement agreement, the Commission places this letter of reprimand in Mr. Hatfield's permanent certification file.

Dated this 16 day of October, 2017.

IDAHO PROFESSIONAL STANDARDS COMMISSION

[Signature]
Elisa Saffie, Member
IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificate of:          Case No. 21505

Clayton B. Hatfield,                    CONSENT ORDER

Respondent

The Chief Certification Officer filed an administrative complaint against the teaching certificate issued to Clayton B. Hatfield (Mr. Hatfield), seeking for the Professional Standards Commission (the Commission) to impose discipline on Mr. Hatfield’s certificate. See Idaho Code § 33-1209. The administrative complaint alleged that Mr. Hatfield willfully violated Code of Ethics Principles II and VII. Idaho Code § 33-1208(1)(j); Idaho Admin. Code rr. 08.02.02.076.03 and .08.

Before a hearing was conducted, Mr. Hatfield and the Commission entered into a settlement agreement that resolves this contested case. Therefore, in accordance with the settlement agreement, 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. Hatfield’s permanent certification file; and
b. A condition will be placed on Mr. Hatfield’s current certificate that he must complete a Commission-approved ethics course.

Mr. Hatfield has waived the right of judicial review and the right of reconsideration. This order is effective on the day it is signed. This order is a public record and may be made available on the State Department of Education or the Commission’s website.
DATED this 10 day of October, 2017.

[Signature]

MEMBER
Idaho Professional Standards Commission
RECONSIDERATION AND JUDICIAL REVIEW

Mr. Hatfield 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 17 day of October, 2017, 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. 6th St.
Boise, ID 83702

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

Attorney for the
Professional Standards Commission
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

Shannon H. Haas
Program Specialist
Idaho State Department of Education

Consent Order – 4 of 4
Clayton B. Hatfield - Case No. 21505