

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificate of:

Tracy Housh,

Respondent

Case No. 22214

STIPULATION

BACKGROUND

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

STIPULATION

1. This is an agreement (Stipulation) between Tracy Housh (Ms. Housh) and the Executive Committee (the Executive Committee) of the Professional Standards Commission (the Commission).
2. If Ms. Housh wishes to agree to this Stipulation, she must sign and return this stipulation and any attachments to the Commission by 5:00 p.m. (Mountain Time) on October 14, 2022, unless she has been granted an extension.
3. After Ms. Housh 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. 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 educator certification in Idaho.
6. Ms. Housh holds the following certificate and endorsements issued under the authority of the Idaho State Board of Education:
 - a. Standard Instructional Certificate with All Subjects (K-8) and Exceptional Child Generalist (K-12), both of which are effective September 1, 2020, through August 31, 2025
7. Ms. Housh was an employee of the Nampa School District for the 2021-2022 school year.
8. During the 2021-2022 school year, it was reported that Ms. Housh engaged in misconduct and poor treatment towards special education elementary students in her classroom.
9. Ms. Housh was observed holding students' wrists or shoulders tightly and slapping students on their arm or shoulder area.
10. She was also observed dragging and/or pulling students on multiple occasions.
11. Ms. Housh was regularly observed exhibiting aggressive behavior with students, including yelling at them.
12. Ms. Housh subsequently resigned on March 14, 2022, in lieu of proceeding to a hearing.

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

- a. Ms. Housh's conduct or course of conduct willfully violated a principle of the code of ethics that was adopted by the Idaho State Board of education. 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."). Specifically, Ms. Housh violated Code of Ethics Principle II Idaho Admin Code r. 08.02.02.076.03 ("A professional educator maintains a professional relationship with all students, both inside and outside the physical and virtual classroom.).

14. Ms. Housh denies that that she violated the laws and rules cited in paragraph 13 but acknowledges that there is sufficient evidence to support a finding of a violation of the laws and rule 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 Ms. Housh's certificate:

- a. Ms. Housh's certificate be revoked.

16. Any costs associated with Ms. Housh's compliance with the terms of this Stipulation are her responsibility.

17. During the pendency of this Stipulation Ms. Housh will comply with all laws and rules governing educator certification in Idaho.

C. PRESENTATION OF THIS STIPULATION

18. Once Ms. Housh 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 Ms. Housh's approval on any modification before the Stipulation is effective.

D. WAIVER OF RIGHTS

21. If this Stipulation is approved by the Commission, Ms. Housh 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 Ms. Housh's certificate without further process.

23. By signing this Stipulation, Ms. Housh 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 Ms. Housh ultimately rejects a modified stipulation (if Ms. Housh

does). If the Commission ultimately rejects this Stipulation or if Ms. Housh ultimately rejects a modified stipulation, and Ms. Housh 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 Ms. Housh 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. Ms. Housh agrees that she has read this Stipulation, has had the opportunity to discuss it with legal counsel, if she so chose, and understands that by signing below, she will be agreeing to the terms of this Stipulation.

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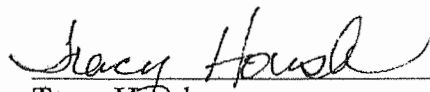
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SIGNATURES

Respondent

The Respondent, Tracy Housh, agrees to this Stipulation.

DATED this 19th day of October, 2022.



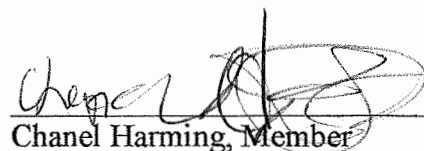
Tracy Housh
Respondent

Executive Committee

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

DATED this 1 day of December, 2022

IDAHO PROFESSIONAL STANDARDS COMMISSION
EXECUTIVE COMMITTEE



Chanel Harming, Member

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificate of:

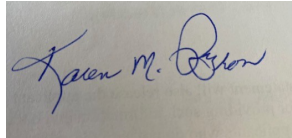
Tracy Housh

Respondent

Case No. 22214
CONSENT ORDER

The Professional Standards Commission orders that the Stipulation, entered between Tracy Housh 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 1st day of December, 2022. The discipline listed in the Stipulation is imposed on Tracy Housh’s certificate under Idaho Code §§ 33-1208 and 33-1209. This is a final agency order, and Tracy Housh has waived the right of judicial review.

IDAHO PROFESSIONAL STANDARDS COMMISSION



Karen Pyron, Member

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of December, 2022, I caused to be served a true and correct copy of the foregoing by the following method to:

Tracy Housh, Respondent
C/O Shane Reichert
Idaho Education Association
PO Box 2638
Boise, ID 83702

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

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