

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificate of:

Kevin Shepherdson,

Respondent

Case No. 22222

STIPULATION

BACKGROUND

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

STIPULATION

1. This is an agreement (Stipulation) between Kevin Shepherdson (Mr. Shepherdson) and the Executive Committee (the Executive Committee) of the Professional Standards Commission (the Commission).
2. If Mr. Shepherdson 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 October 14, 2022, unless he has been granted an extension.
3. After Mr. Shepherdson 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. Mr. Shepherdson holds the following certificate and endorsement issued under the authority of the Idaho State Board of Education:
 - a. Standard Instructional Certificate with All Subjects (K-8) endorsement, effective September 1, 2021, through August 31, 2026.
7. Mr. Shepherdson was employed as a sixth-grade math, science, health and art teacher at Trail Wind Elementary School in the Boise School District during the 2021-2022 school year.
8. On March 16, 2022, Mr. Shepherdson was called to the principal's office after a colleague reported concerns of intoxication.
9. The principal drove Mr. Shepherdson to a testing facility where he failed (his results were .166 and .174).
10. Mr. Shepherdson subsequently resigned and underwent extensive treatment immediately after March 16, 2022.
11. He has been attending two alcoholics anonymous meetings per day since his release from treatment, is currently on step nine, and has been sober ever since.
12. He has obtained a sponsor, started medication, is attending counseling and sees his doctor regarding his physical and medical care.
13. He currently operates a landscaping business.

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

- a. Mr. Shepherdson'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, Mr. Shepherdson violated Code of Ethics Principle III Idaho Admin Code r. 08.02.02.076.04 ("A professional educator refrains from the abuse of alcohol or drugs during the course of professional practice.").

15. Mr. Shepherdson admits that he violated the laws and rules cited in paragraph 14 and acknowledges that there is sufficient evidence to support a finding of a violation of the laws and rules cited in paragraph 14.

B. STIPULATED DISCIPLINE

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

- a. Mr. Shepherdson's certificate be suspended for one-year.
- b. Before Mr. Shepherdson's certificate be unsuspended, he must submit evidence that he is fit and able to safely teach in the classroom.

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

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

C. PRESENTATION OF THIS STIPULATION

19. Once Mr. Shepherdson 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.

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

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

D. WAIVER OF RIGHTS

22. If this Stipulation is approved by the Commission, Mr. Shepherdson 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;

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

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

E. GENERAL ACKNOWLEDGMENTS

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

26. 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.

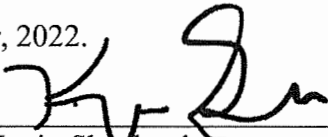
27. Mr. Shepherdson agrees that he has read this Stipulation, has had the opportunity to discuss it with legal counsel, if he so chose, and understands that by signing below, he will be agreeing to the terms of this Stipulation.

SIGNATURES

Respondent

The Respondent, Kevin Shepherdson, agrees to this Stipulation.

DATED this 17 day of October, 2022.




Kevin Shepherdson
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:

Kevin Shepherdson,

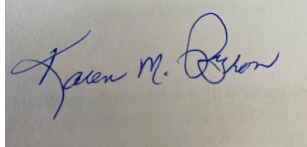
Respondent

Case No. 22222

CONSENT ORDER

The Professional Standards Commission orders that the Stipulation, entered between Kevin Shepherdson 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 2nd day of December, 2022. The discipline listed in the Stipulation is imposed on Kevin Shepherdson's certificate under Idaho Code §§ 33-1208 and 33-1209. This is a final agency order, and Kevin Shepherdson has waived the right of judicial review.

IDAHO PROFESSIONAL STANDARDS COMMISSION



Karen Pyron, Member

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of December, 2022, I caused to be served a true and correct copy of the foregoing by the following method to:

Kevin Shepherdson, 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