
CODE OF ETHICS FOR IDAHO PROFESSIONAL EDUCATORS



Idaho Professional Standards Commission
<https://www.sde.idaho.gov/about-us/departments/professional-standards-commission/>

CONTENTS

Foreword	2
Preamble	3
Aspirations and Commitments	3
Definitions	4
Principles I-X	5
Related Statutes	9
Idaho Code 16-1605	9
Idaho Code 33-1208	9
Idaho Code 33-1208A	11
Idaho Code 33-1209	11
NASDTEC Clearinghouse	13

FOREWORD

Idaho is blessed with great educators who want to help our kids build the knowledge and skills that will prepare them to be engaged citizens and successful in their lives and careers.

This responsibility requires high ethical standards that teachers and administrators must adhere to on a daily basis. Those standards can be found in this booklet, the *Code of Ethics for Idaho Professional Educators*. Please take the time to read it, reflect on it, and continuously reinforce the values expressed in its pages.

The *Code of Ethics for Idaho Professional Educators* is designed to remind everyone that educators are public servants in our communities, providing education and opportunity to all Idaho students. Our educators have the power to unlock the potential in every child, especially those children who are uncertain of their potential or face challenges.

Education has the power to change lives. When practitioners maintain professional conduct, they are putting their students first. To that end, we are pleased to provide you with this Code of Ethics.

Thank you for recognizing the power of teaching and choosing to be a part of Idaho's educational community.

Welcome!

Sincerely,

A handwritten signature in black ink that reads "Debbie Critchfield". The script is cursive and fluid, with the first name "Debbie" and last name "Critchfield" clearly legible.

Debbie Critchfield

Superintendent of Public Instruction

PREAMBLE

Believing in the worth and dignity of each human being, the professional educator recognizes the supreme importance of pursuing truth, striving toward excellence, nurturing democratic citizenship and safeguarding the freedom to learn and to teach while guaranteeing equal educational opportunity for all. The professional educator accepts the responsibility to practice the profession according to the highest ethical principles.

The *Code of Ethics for Idaho Professional Educators* symbolizes the commitment of all Idaho educators and provides principles by which to judge conduct.

ASPIRATIONS AND COMMITMENTS

The professional educator aspires to stimulate the spirit of inquiry in students and to provide opportunities in the school setting that will help them acquire viable knowledge, skills, and understanding that will meet their needs now and in the future.

The professional educator provides an environment that is safe to the cognitive, physical and psychological well-being of students and provides opportunities for each student to move toward the realization of his goals and potential as an effective citizen.

The professional educator, recognizing that students need role models, will act, speak and teach in such a manner as to exemplify nondiscriminatory behavior and encourage respect for other cultures and beliefs.

The professional educator is committed to the public good and will help preserve and promote the principles of democracy. He will provide input to the local school board to assist in the board's mission of developing and implementing sound educational policy, while promoting a climate in which the exercise of professional judgment is encouraged.

The professional educator believes the quality of services rendered by the education profession directly influences the nation and its citizens. He strives, therefore, to establish and maintain the highest set of professional principles of behavior, to improve educational practice, and to achieve conditions that attract highly qualified persons to the profession.

The professional educator regards the employment agreement as a pledge to be executed in a manner consistent with the highest ideals of professional service. He believes that sound professional personal relationships with colleagues, governing boards, and community members are built upon integrity, dignity, and mutual respect. The professional educator encourages the practice of the profession only by qualified persons.

DEFINITIONS

Administrative Complaint. A document outlining the specific, purported violations of [Section 33-1208, Idaho Code](#), or the *Code of Ethics for Idaho Professional Educators*.

Educator. A person who held, holds, or applies for an Idaho Certificate ([Section 33-1201, Idaho Code](#)).

Education Official. An individual identified by local school board policy, including, but not limited to, a superintendent, principal, assistant principal, or school resource officer (SRO).

Executive Committee. A decision-making body comprised of members of the Professional Standards Commission, including the chair and/or vice-chair of the Commission. A prime duty of the Committee is to review alleged violations of the *Code of Ethics for Idaho Professional Educators* to determine probable cause and recommend possible disciplinary action.

Hearing. A formal review proceeding that ensures the respondent due process. The request for a hearing is initiated by the respondent and is conducted by a panel of peers.

Hearing Panel. A minimum of three (3) educators appointed by the chair of the Professional Standards Commission and charged with the responsibility to make a final determination regarding the charges specifically defined in the Administrative Complaint.

Investigation. The process of gathering factual information concerning a valid, written complaint in preparation for review by the Professional Standards Commission Executive Committee, or following review by the Executive Committee at the request of the deputy attorney general assigned to the Professional Standards Commission.

No Probable Cause. A determination by the Executive Committee that there is not sufficient evidence to take action against an educator's Certificate.

Principles. Guiding behaviors that reflect what is expected of professional educators in the state of Idaho while performing duties as educators, in both the private and public sectors.

Probable Cause. A determination by the Executive Committee that sufficient evidence exists to issue an administrative complaint.

Respondent. The legal term for the professional educator who is under investigation or been charged for a purported violation of the *Code of Ethics for Idaho Professional Educators*.

Revocation. The invalidation of a Certificate held by the educator.

Stipulated Agreement. A written agreement between the respondent and the Professional Standards Commission to resolve matters arising from an allegation of unethical conduct, following a complaint or an investigation. The stipulated agreement is binding to both parties and is enforceable under its own terms

PRINCIPLES I-X

Principle I - Professional Conduct. A professional educator abides by all federal, state, and local education laws and statutes. Unethical conduct shall include the conviction of any felony or misdemeanor offense set forth in [Section 33-1208, Idaho Code](#).

Principle II - Educator/Student Relationship. A professional educator maintains a professional relationship with all students, both inside and outside the physical and virtual classroom. All digital communication with students must occur on approved district devices and platforms and on a school-based account. Unethical conduct includes, but is not limited to:

- a. Committing any act of child abuse, including physical or emotional abuse;
- b. Committing any act of cruelty to children or any act of child endangerment;
- c. Committing or soliciting any sexual act from any minor or any student regardless of age;
- d. Committing any act of harassment as defined by local education agency policy;
- e. Soliciting, encouraging, or consummating a romantic relationship (whether written, verbal, virtual, or physical) with a student, regardless of age;
- f. Soliciting or encouraging any form of personal relationship with a student that a reasonable educator would view as undermining the professional boundaries necessary to sustain an effective educator-student relationship;
- g. Using inappropriate language including, but not limited to, swearing and improper sexual comments (e.g., sexual innuendoes or sexual idiomatic phrases);
- h. Taking or possessing images (digital, photographic, or video) of students of a harassing, confidential, or sexual nature;
- i. Inappropriate contact with any minor or any student regardless of age using electronic or social media;
- j. Furnishing alcohol or illegal or unauthorized drugs to any student or allowing or encouraging a student to consume alcohol or unauthorized drugs except in a medical emergency;
- k. Conduct that is detrimental to the health or welfare of students; and
- l. Deliberately falsifying information presented to students.

Principle III - Alcohol and Drugs Use or Possession. A professional educator refrains from the abuse of alcohol or drugs during the course of professional practice. Unethical conduct includes, but is not limited to:

- a. Being on school premises or at any school-sponsored activity, home or away, involving students while possessing, using, or consuming illegal or unauthorized drugs;
- b. Being on school premises or at any school-sponsored activity, home or away, involving students while possessing, using, or consuming alcohol;
- c. Inappropriate or illegal use of prescription medications on school premises or at any school-sponsored events, home or away;
- d. Inappropriate or illegal use of drugs or alcohol that impairs the individual's ability to function; and
- e. Possession of an illegal drug as defined in [Title 37, Chapter 27, Idaho Code, Uniform Controlled Substances](#).

Principle IV - Professional Integrity. A professional educator exemplifies honesty and integrity in the course of professional practice. Unethical conduct includes, but is not limited to:

- a. Fraudulently altering or preparing materials for licensure or employment;
- b. Falsifying or deliberately misrepresenting professional qualifications, degrees, academic awards, and related employment history when applying for employment or licensure;
- c. Failure to notify the state at the time of application for licensure of past revocations or suspensions of a certificate or license from another state;
- d. Failure to notify the state at the time of application for licensure of past criminal convictions of any crime violating the statutes or rules governing teacher certification;
- e. Falsifying, deliberately misrepresenting, or deliberately omitting information regarding the evaluation of students or personnel, including improper administration of any standardized tests (changing test answers; copying or teaching identified test items; unauthorized reading of the test to students, etc.);
- f. Falsifying, deliberately misrepresenting, or deliberately omitting reasons for absences or leaves;
- g. Falsifying, deliberately misrepresenting, or deliberately omitting information submitted in the course of an official inquiry or investigation;
- h. Falsifying, deliberately misrepresenting, or deliberately omitting material information on an official evaluation of colleagues; and
- i. Failure to notify the state of any criminal conviction of a crime violating the statutes and/or rules governing teacher certification.

Principle V - Funds and Property. A professional educator entrusted with public funds and property honors that trust with a high level of honesty, accuracy, and responsibility. Unethical conduct includes, but is not limited to:

- a. Misuse, or unauthorized use, of public or school-related funds or property including district devices and networks;
- b. Failure to account for school funds collected from students, parents, patrons, or other donors from all sources, including online donation platforms;
- c. Submission of fraudulent requests for reimbursement of expenses or for pay;
- d. Co-mingling of public or school-related funds in personal account(s);
- e. Unauthorized use of school property for private financial gain;
- f. Engaging in sexually explicit activity on a school device or network, including, but not limited to, viewing pornographic or sexually explicit images, engaging in sexually explicit conversations, or creating or exchanging any type of sexually explicit content; and,
- g. Deliberate use of poor budgeting or accounting practices.

Principle VI - Compensation. A professional educator maintains integrity with students, colleagues, parents, patrons, or business personnel when accepting gifts, gratuities, favors, and additional compensation. Unethical conduct includes, but is not limited to:

- a. Unauthorized solicitation of students or parents of students to purchase equipment, supplies, or services from the educator who will directly benefit;
- b. Acceptance of gifts from vendors or potential vendors for personal use or gain where there may be the appearance of a conflict of interest;
- c. Tutoring students assigned to the educator for remuneration unless approved by the local board of education *;
- d. Soliciting, accepting, or receiving a financial benefit greater than fifty dollars (\$50) as defined in [Section 18-1359\(b\), Idaho Code](#); and,
- e. Keeping for oneself donations, whether money or items, that were solicited or accepted for the benefit of a student, class, classroom, or school.

Principle VII - Confidentiality. A professional educator complies with state and federal laws and local school board policies relating to the confidentiality of student and employee records, unless disclosure is required or permitted by law. Unethical conduct includes, but is not limited to:

- a. Sharing of confidential information concerning student academic and disciplinary records, personal confidences, health and medical information, family status or income, and assessment or testing results with inappropriate individuals or entities; and
- b. Sharing of confidential information about colleagues obtained through employment practices with inappropriate individuals or entities.

* Or according to statute

Principle VIII - Breach of Contract or Abandonment of Employment. A professional educator fulfills all terms and obligations detailed in the contract with the local board of education or education agency for the duration of the contract. Unethical conduct includes, but is not limited to:

- a. Abandoning any contract for professional services without the prior written release from the contract by the employing local education agency;
- b. Willfully refusing to perform the services required by a contract; and,
- c. Abandonment of classroom or failure to provide appropriate supervision of students at school or school-sponsored activities to ensure the safety and well-being of students.

Principle IX - Duty to Report. A professional educator reports breaches of the *Code of Ethics for Idaho Professional Educators* and submits reports as required by Idaho Code. Unethical conduct includes, but is not limited to:

- a. Failure to comply with [Section 33-1208A, Idaho Code](#), (reporting requirements and immunity);
- b. Failure to comply with [Section 16-1605, Idaho Code](#), (reporting of child abuse, abandonment or neglect);
- c. Failure to comply with [Section 33-512B, Idaho Code](#), (suicidal tendencies and duty to warn); and
- d. Having knowledge of a violation of the *Code of Ethics for Idaho Professional Educators* and failing to report the violation to an appropriate education official.

Principle X - Professionalism. A professional educator ensures just and equitable treatment for all members of the profession in the exercise of academic freedom, professional rights and responsibilities. A professional educator follows generally recognized professional principles. Unethical conduct includes, but is not limited to:

- a. Any conduct that seriously impairs the Certificate holder's ability to teach or perform his professional duties;
- b. Committing any act of harassment toward a colleague;
- c. Failure to cooperate with the Professional Standards Commission in inquiries, investigations, or hearings;
- d. Using institutional privileges for the promotion of political candidates or for political activities, except for local, state or national education association elections;
- e. Willfully interfering with the free participation of colleagues in professional associations; and
- f. Taking, possessing, or sharing images (digital, photographic, or video) of colleagues of a harassing, confidential, or sexual nature.

RELATED STATUTES

For information pertinent to allegations of violations of state statute and/or *Code of Ethics for Idaho Professional Educators*, please visit the [Professional Standards Commission](#) website.

[IDAHO CODE 16-1605](#)

Reporting of Abuse, Abandonment or Neglect.

1. Any physician, resident on a hospital staff, intern, nurse, coroner, school teacher, day care personnel, social worker, or other person having reason to believe that a child under the age of eighteen (18) years has been abused, abandoned or neglected or who observes the child being subjected to conditions or circumstances that would reasonably result in abuse, abandonment or neglect shall report or cause to be reported within twenty-four (24) hours such conditions or circumstances to the proper law enforcement agency or the department. The department shall be informed by law enforcement of any report made directly to it. If the department knows or has reason to know that an adult in the home has been convicted of lewd and lascivious conduct or felony injury to a child in the past or that the child has been removed from the home for circumstances that resulted in a conviction for lewd and lascivious conduct or felony injury to a child, then the department shall investigate. When the attendance of a physician, resident, intern, nurse, day care worker, or social worker is pursuant to the performance of services as a member of the staff of a hospital or similar institution, he shall notify the person in charge of the institution or his designated delegate who shall make the necessary reports.
2. For purposes of subsection (3) of this section, the term "duly ordained minister of religion" means a person who has been ordained or set apart, in accordance with the ceremonial, ritual or discipline of a church or religious organization which has been established on the basis of a community of religious faith, belief, doctrines and practices, to hear confessions and confidential communications in accordance with the bona fide doctrines or discipline of that church or religious organization.
3. The notification requirements of subsection (1) of this section do not apply to a duly ordained minister of religion, with regard to any confession or confidential communication made to him in his ecclesiastical capacity in the course of discipline enjoined by the church to which he belongs if:
 - a. The church qualifies as tax-exempt under 26 U.S.C. 501(c)(3);
 - b. The confession or confidential communication was made directly to the duly ordained minister of religion; and
 - c. The confession or confidential communication was made in the manner and context that places the duly ordained minister of religion specifically and strictly under a level of confidentiality that is considered inviolate by canon law or church doctrine. A confession or confidential communication made under any other circumstances does not fall under this exemption.
4. Failure to report as required in this section shall be a misdemeanor.

[IDAHO CODE 33-1208](#)

Revocation, suspension, denial, or place reasonable conditions on certificate - Grounds.

1. The professional standards commission may deny, revoke, suspend, or place reasonable conditions on any certificate issued or authorized under the provisions of section 33-1201, Idaho Code, upon any of the following grounds:
 - a. Gross neglect of duty;
 - b. Incompetency;
 - c. Breach of the teaching contract;
 - d. Making any material statement of fact in the application for a certificate, that the applicant knows to be false;
 - e. Revocation, suspension, denial, or surrender of a certificate in another state for any reason constituting grounds for revocation in this state;

- f. Conviction, finding of guilt, withheld judgment, or suspended sentence in this or any other state of a crime involving moral turpitude;
 - g. Conviction, finding of guilt, withheld judgment, or suspended sentence in this state or any other state for the delivery, manufacture, or production of controlled substances or simulated controlled substances as those terms are defined in section 37-2701, Idaho Code;
 - h. A guilty plea or a finding of guilt, notwithstanding the form of the judgment or withheld judgment, in this or any other state of the crime of involuntary manslaughter, section 18-4006 (2) or (3), Idaho Code;
 - i. Any disqualification that would have been sufficient grounds for refusing to issue or authorize a certificate, if the disqualification existed or had been known at the time of its issuance or authorization;
 - j. Willful violation of any professional code or standard of ethics or conduct adopted by the state board of education;
 - k. The kidnapping of a child, section 18-4503, Idaho Code;
 - l. Conviction, finding of guilt, withheld judgment, or suspended sentence in this state or any other state of any felony, the commission of which renders the certificated person unfit to teach or otherwise perform the duties of the certificated person's position.
2. The professional standards commission shall permanently revoke any certificate issued or authorized under the provisions of section 33-1201, Idaho Code, and shall deny the application for issuance of a certificate of a person who pleads guilty to or is found guilty of, notwithstanding the form of the judgment or withheld judgment, any of the following felony offenses:
- a. Aggravated assault, section 18-905, Idaho Code, or assault with intent to commit a serious felony, section 18-909, Idaho Code.
 - b. Aggravated battery, section 18-907, Idaho Code, or battery with intent to commit a serious felony, section 18-911, Idaho Code.
 - c. The injury or death of a child, section 18-1501, Idaho Code.
 - d. The sexual abuse of a child under sixteen (16) years of age, section 18-1506, Idaho Code.
 - e. The ritualized abuse of a child under eighteen (18) years of age, section 18-1506A, Idaho Code.
 - f. The sexual exploitation of a child, section 18-1507, Idaho Code.
 - g. Lewd conduct with a child under the age of sixteen (16) years, section 18-1508, Idaho Code.
 - h. The sexual battery of a minor child sixteen (16) or seventeen (17) years of age, section 18-1508A, Idaho Code.
 - i. The sale or barter of a child for adoption or other purposes, section 18-1511, Idaho Code.
 - j. Murder, section 18-4003, Idaho Code, or voluntary manslaughter, section 18-4006 (1), Idaho Code.
 - k. Kidnapping, section 18-4502, Idaho Code.
 - l. Interstate trafficking in prostitution, section 18-5601, Idaho Code.
 - m. Utilizing a person under eighteen (18) years of age for prostitution, section 18-5610, Idaho Code.
 - n. Rape, section 18-6101, Idaho Code.
- The general classes of felonies listed in this subsection shall include equivalent laws of federal or other state jurisdictions. For the purpose of this subsection, "child" means a minor or juvenile as defined by the applicable state or federal law.
3. The professional standards commission may investigate and follow the procedures set forth in section 33-1209, Idaho Code, for any allegation of inappropriate conduct as defined in this section by a holder of a certificate whether or not the holder has surrendered his certificate without a hearing or failed to renew his certificate. In those cases where the holder of a certificate has surrendered or failed to renew his certificate and it was found that inappropriate conduct occurred, the commission shall record such findings in the permanent record of the individual and shall deny the issuance of a teaching certificate.
4. Any person whose certificate may be or has been revoked, suspended or denied under the provisions of this section shall be afforded a hearing according to the provisions of section 33-1209, Idaho Code. Any person holding a certificate on or before July 1, 2020, who would not be eligible for a certificate by virtue of the provisions of this section shall be afforded a hearing according to the provisions of section 33-1209, Idaho Code, prior to revocation or denial of the individual's certificate. Upon a

showing of just and reasonable cause, the hearing panel shall have the authority to grant an exception to the provisions of this section for such person.

5. The professional standards commission may deny the issuance of a certificate for any reason that would be a ground for revocation or suspension.

IDAHO CODE 33-1208A

Reporting Requirements and Immunity.

The board of trustees of a school district, through its designee, shall, within ten (10) days of the date the employment is severed, report to the chief officer of teacher certification the circumstances and the name of any educator who is dismissed, resigns or is otherwise severed from employment for reasons that could constitute grounds for revocation, suspension or denial of a certificate.

Any person providing a report under the provisions of this section shall have immunity from any liability, civil or criminal, that may otherwise be incurred or imposed. Any such person shall have the same immunity with respect to participation in any administrative or judicial proceeding resulting from such report. Any person who reports in bad faith or with malice shall not be protected by the provisions of this section.

IDAHO CODE 33-1209

Proceedings to Review, Suspend, Deny, or Place Reasonable Conditions on a Certificate – Letters of Reprimand – Complaint – Subpoena Power – Hearing.

1. The professional standards commission may conduct investigations on any signed allegation of unethical conduct of any teacher brought by:
 - (a) An individual with a substantial interest in the matter, except a student in an Idaho public school; or
 - (b) A local board of trustees.

The allegation shall state the specific ground or grounds for the allegation of unethical conduct that could lead to a possible revocation, suspension, placing reasonable conditions on the certificate, or issuance of a letter of reprimand. Upon receipt of a written and signed allegation of unethical conduct, the chief certification officer, in conjunction with the attorney general and the professional standards commission investigator, shall conduct a review of the allegation using established guidelines to determine whether to remand the issue to the school district to be resolved locally or to open an investigation and forward the case to the professional standards commission. Within fourteen (14) days of the decision to forward the case, the chief certification officer shall notify the complainant and the teacher, in writing, that an investigation will be conducted and the teacher shall be afforded an opportunity to respond to the allegation verbally and in writing prior to the issuance of the complaint. The executive committee of the professional standards commission shall review the circumstances of the forwarded case at one (1) of the two (2) next regularly scheduled meetings, and determine whether probable cause exists to warrant the filing of a complaint and the requesting of a hearing. Any complaint that contains information relating to behavior that may be criminal shall be reported to the appropriate law enforcement authorities.

2. Proceedings to revoke or suspend any certificate issued under section 33-1201, Idaho Code, or to issue a letter of reprimand or place reasonable conditions on the certificate shall be commenced by a written complaint against the holder thereof. Such complaint shall be made by the chief certification officer stating the ground or grounds for issuing a letter of reprimand, placing reasonable conditions on the certificate, or for revocation or suspension and proposing that a letter of reprimand be issued, reasonable conditions be placed on the certificate, or the certificate be revoked or suspended. A copy of the complaint shall be served upon the certificate holder, either by personal service or by certified mail, within thirty (30) days of determination by the executive committee or such other time agreed to by the teacher and the chief certification officer.

Any complaint that contains information relating to behavior that may be criminal shall be reported to the appropriate law enforcement authorities.

3. Not more than thirty (30) days after the date of service of any complaint, the person complained against may request, in writing, a hearing upon the complaint. Any such request shall be made and addressed to the state superintendent of public instruction; and if no request for hearing is made, the grounds for suspension, revocation, placing reasonable conditions on the certificate, or issuing a letter of reprimand stated in the complaint shall be deemed admitted. Upon a request for hearing, the chief certification officer shall give notice, in writing, to the person requesting the hearing, which notice shall state the time and place of the hearing and which shall occur not more than ninety (90) days from the request for hearing or such other time agreed to by the teacher and the chief certification officer. The time of such hearing shall not be less than five (5) days from the date of notice thereof. Any such hearing shall be informal and shall conform with chapter 52, title 67, Idaho Code. The hearing will be held within the school district in which any teacher complained of shall teach, or at such other place deemed most convenient for all parties.
4. Any such hearing shall be conducted by three (3) or more panel members appointed by the chairman of the professional standards commission, a majority of whom shall hold a position of employment the same as the person complained against. One (1) of the panel members shall serve as the panel chair. The panel chair shall be selected by the chairman of the professional standards commission from a list of former members of the professional standards commission who shall be instructed in conducting administrative hearings. No commission member who participated in the probable cause determination process in a given case shall serve on the hearing panel. All hearings shall be held with the object of ascertaining the truth. Any person complained against may appear in person and may be represented by legal counsel, and may produce, examine and cross-examine witnesses, and, if he chooses to do so, may submit for the consideration of the hearing panel a statement, in writing, in lieu of oral testimony, but any such statement shall be under oath and the affiant shall be subject to cross-examination.
5. The state superintendent of public instruction, as authorized by the state board of education, has the power to issue subpoenas and compel the attendance of witnesses and compel the production of pertinent papers, books, documents, records, accounts and testimony. The state board or its authorized representative may, if a witness refuses to attend or testify or to produce any papers required by such subpoena, report to the district court in and for the county in which the proceeding is pending, by petition, setting forth that a due notice has been given of the time and place of attendance of the witnesses, or the production of the papers, that the witness has been properly summoned, and that the witness has failed and refused to attend or produce the papers required by this subpoena before the board, or its representative, or has refused to answer questions propounded to him in the course of the proceedings, and ask for an order of the court compelling the witness to attend and testify and produce the papers before the board. The court, upon the petition of the board, shall enter an order directing the witness to appear before the court at a time and place to be fixed by the court in the order, the time to be not more than ten (10) days from the date of the order, and then and there shall show cause why he has not attended and testified or produced the papers before the board or its representative. A copy of the order shall be served upon the witness. If it shall appear to the court that the subpoena was regularly issued by the board and regularly served, the court shall thereupon order that the witness appear before the board at the time and place fixed in the order and testify or produce the required papers. Upon failure to obey the order, the witness shall be dealt with for contempt of court. The subpoenas shall be served and witness fees and mileage paid as allowed in civil cases in the district courts of this state.
6. Within twenty-one (21) days of the conclusion of any hearing dealing with the revocation, suspension, denial of a certificate, placing reasonable conditions on the certificate, or issuing a letter of reprimand, the hearing panel shall submit to the chief certification officer, to the person complained against and to the chief administrative officer of the public school employing the certificate holder, if any, a concise statement of the proceedings, a summary of the testimony, and any documentary evidence offered, together with the findings of fact and a decision. The hearing panel may determine to suspend or revoke the certificate, or the panel may order that reasonable conditions be placed on the certificate or a letter of reprimand be sent to the certificate holder, or

if there are not sufficient grounds, the allegation against the certificate holder is dismissed and is so recorded.

7. Within three (3) days of issuance, the hearing panel's decision shall be made a permanent part of the record of the certificate holder. Should the final decision be to place reasonable conditions upon the certificate holder or a suspension or revocation of the teaching certificate, the professional standards commission must notify the employing public school of the hearing panel's decision and to provide notice that such may negatively impact upon the employment status of the certificated employee.
8. The final decision of the hearing panel shall be subject to judicial review in accordance with the provisions of chapter 52, title 67, Idaho Code, in the district court of the county in which the holder of a revoked certificate has been last employed as a teacher.
9. Whenever any certificate has been revoked, suspended or has had reasonable conditions placed upon it, or an application has been denied, the professional standards commission may, upon a clear showing that the cause constituting grounds for the listed actions no longer exists, issue a valid certificate. Provided however, that no certificate shall be issued to any person who has been convicted of any crime listed in subsection (2) of section 33-1208, Idaho Code.
10. For any person certified in another state and applying for certification in Idaho, and for any person previously certified in this state who is applying for certification in the event their certification has lapsed or is seeking renewal of a current certification, the chief certification officer shall deny an application for a new certificate or for a renewal of a certificate, regardless of the jurisdiction where such certificate was issued, if there are any unsatisfied conditions on such current or previously issued certificate or if there is any form of pending investigation by a state agency concerning the applicant's teaching license or certificate. Provided however, the chief certification officer shall not automatically deny the application if such person authorized in writing that the chief certification officer and the professional standards commission shall have full access to the investigative files concerning the conditions on, or investigation concerning, such certificate in Idaho or any other state or province. Upon review of the information authorized for release by the applicant, the chief certification officer shall either grant or deny such application or, upon denial and upon written request made by the applicant within thirty (30) days of such denial, shall afford the applicant with the procedures set forth in subsections (3) through (9) of this section. If the applicant does not execute the written authorization discussed herein, reapplication may be made once all investigations have been completed and all conditions have been satisfied, resulting in a clear certificate from the issuing state or province.
11. For the purposes of this section, the term "teacher" shall include any individual required to hold a certificate pursuant to section 33-1201, Idaho Code.

NASDTEC CLEARINGHOUSE

The National Association of State Directors of Teacher Education and Certification (NASDTEC) Clearinghouse is a searchable database of the 50 states and District of Columbia. This database provides information regarding individuals who have had their professional educator certificates/licenses annulled, denied, suspended, revoked, or otherwise invalidated.

The state of Idaho notifies the NASDTEC Clearinghouse when it has adjudicated a case with disciplinary action (denial, letter of reprimand, conditions, surrender, suspension, or revocation) on a certificate.