

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificates of:

Jeff Wilkes,

Respondent

Case No. 22223

ADMINISTRATIVE COMPLAINT

Bethani Studebaker, Chief Certification Officer for the State of Idaho, alleges the following against Jeff Wilkes

BACKGROUND

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

GENERAL AVERMENTS

1. The Professional Standards Commission ("Commission" regulates educator certification in Idaho.
2. Mr. Wilkes holds the following certificate and endorsement issued under the authority of the Idaho State Board of Education:
 - a. Standard Instructional Certificate with Physical Education (PE) (K-12) endorsement, effective September 2, 2018, through August 31, 2023.
3. Mr. Wilkes was employed as a physical education teacher and coach at Teton High School in the Teton School District #401 during the 2021-2022 school year.

4. While on an overnight wrestling tournament in Challis, Idaho on or around February 5, 2022, Mr. Wilkes and another coach were doing room checks for the night.

5. The coaches entered a room with several students, and Mr. Wilkes and the students began talking and joking, except it escalated.

6. One of the students made a joke that angered Mr. Wilkes.

7. Mr. Wilkes followed the student into the bathroom, where Mr. Wilkes wetted a towel, restrained the student on the floor, placed the towel under his chin, and lifted the boy off the floor.

8. When Mr. Wilkes exited the bathroom, another student told or asked Mr. Wilkes to leave the room.

9. Mr. Wilkes did not leave, so the student grabbed a pillow and struck Mr. Wilkes, asking Mr. Wilkes again to leave.

10. The situation escalated further as Mr. Wilkes began to towel whip the student on the thigh.

11. The student then used a wrestling move on Mr. Wilkes and was choking him out, then released him, telling him to "leave, you leprechaun."

12. Mr. Wilkes then kicked the student and threw six to eight closed-fist punches into the student's back that left visible marks.

Count I

13. Mr. Wilkes'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. Wilkes 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.).

Count II

14. Mr. Wilkes'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. Wilkes violated Code of Ethics Principle VIII Idaho Admin Code r. 08.02.02.076.09)(" 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.).

REQUEST FOR RELIEF

The Chief Certification Officer requests that the Commission grant the following relief, as permitted under Idaho Code §§ 33-1208 and 33-1209:

- a. Mr. Wilkes's certificate be revoked.
- b. That if Mr. Wilkes requests a hearing, a hearing be conducted before a hearing panel, where the Chief Certification Officer and Mr. Wilkes may present evidence concerning the allegations in this Administrative Complaint, to aid the hearing panel in determining whether Mr. Wilkes's certificates should be disciplined and, if so, what discipline should be imposed.
- c. That after a hearing, the waiver of a hearing, or Mr. Wilkes's failure to file an Answer to this Administrative Complaint, the hearing panel issue findings of fact and conclusions of law finding the violations of law alleged herein;
- d. Any other relief that would be just under the circumstances.

DATED this 14th day of October, 2022.



BETHANI STUDEBAKER
Chief Certification Officer

*Attorney for the
Chief Certification Officer*

Robert A. Berry
Deputy Attorney General
PO Box 83720
Boise, ID 83720-0010
(208) 334-2400
robert.berry@ag.idaho.gov

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of October, 2022, I caused to be served a true and correct copy of the foregoing by the following method to:

Jeff Wilkes, Respondent


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

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.gottsche@ag.idaho.gov



Annette Schwab
Program Specialist