

**IDAHO PROFESSIONAL STANDARDS COMMISSION**

In the matter of the certificates of:

Marvin J. Hansen,

Respondent

Case No. 22027

**ADMINISTRATIVE COMPLAINT**

Lisa Colón Durham, Chief Certification Officer for the State of Idaho, alleges the following against Marvin J. Hansen (“Respondent”).

**GENERAL AVERMENTS**

1. The Professional Standards Commission (Commission) regulates teacher certification in Idaho.

2. The Chief Certification Officer is empowered to file an administrative complaint against the certificate of a teacher or other individual certified under the authority of the Idaho State Board of Education. Idaho Code § 33-1209.

3. Mr. Hansen holds the following certificates and endorsements issued under the authority of the Idaho State Board of Education:

- a. Administrator Certificate with Superintendent (Pre-K-12) and School Principal (Pre-K-12) endorsements, both effective September 1, 2016, through August 31, 2021.
- b. Standard Secondary Certificate with Economics (6-12), Natural Science (6-12), and Agriculture Science and Technology (6-12) endorsements, all effective, September 1, 2016, through August 31, 2021.
- c. Administrator Certificate with Superintendent (Pre-K-12) and School Principal (Pre-K-12) endorsements, both effective September 1, 2011, through August 31, 2016.
- d. Standard Secondary Certificate with Economics (6-12), Natural Science (6-12), and Agriculture Science and Technology (6-12) endorsements, all effective, September 1, 2011, through August 31, 2016.

4. Mr. Hansen was employed by the Marsh Valley School District as a Superintendent during the 2013-2014, 2014-2015, and 2015-2016 school years.

5. Mr. Hansen had an administrative assistant during this time.

6. During this time, Mr. Hansen and the assistant had sexual intercourse in the Marsh Valley School District building on numerous occasions.

7. These encounters took place during work hours.

8. The sexual encounters also took place in a school district vehicle.

9. Mr. Hansen also used a school iPhone to communicate with his assistant, which included sending and receiving graphic communications, and to schedule their sexual encounters.

10. Their relationship ended sometime in February of 2016.

#### **Count I**

11. Mr. Hansen'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. Hansen violated Code of Ethics Principle V (Idaho Admin. Code r. 08.02.02.076.06) ("A professional educator entrusted with public funds and property honors that trust with a high level of honesty, accuracy, and responsibility.").

#### **Count II**

12. Mr. Hansen'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. Hansen violated Code of Ethics Principle X (Idaho Admin. Code r. 08.02.02.076.11) ("A professional educator ensures just and equitable treatment

for all members of the profession in the exercise of academic freedom, professional rights and responsibilities while following generally recognized professional principles.”).

#### 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:

1. Revoke Mr. Hansen’s administrator and teaching certificates.
2. That if Mr. Hansen requests a hearing, a hearing be conducted before a hearing panel, where the Chief Certification Officer and Mr. Hansen may present evidence concerning the allegations in this Administrative Complaint, to aid the hearing panel in determining whether Mr. Hansen’s certificate should be disciplined and, if so, what discipline should be imposed.
3. That after a hearing, the waiver of a hearing, or Mr. Hansen’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.
4. Any other relief that would be just under the circumstances.

DATED this 25 day of February, 2021.

  
LISA COLÓN DURHAM  
Chief Certification Officer

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Chief Certification Officer*  
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## NOTIFICATION OF PROCEDURAL RIGHTS

The Professional Standards Commission wishes to notify you of the following rights.

**An administrative action has been initiated against your certificate(s).** Under Idaho Code § 33-1209, if you wish to contest the allegations set forth in the administrative complaint, you must request a hearing. This request must be (1) made not more than 30 days after the date of service (mailing) of the administrative complaint, (2) in writing, and (3) addressed to the state superintendent of public instruction. **If you do not request a hearing or do not comply with the requirements for requesting a hearing, the allegations in this administrative complaint will be treated as admitted under Idaho Code § 33-1209(3).**

In response to this administrative complaint, you must file an answer pursuant to IDAPA rule 04.11.01.270, but you must file the answer at least 30 days prior to the day of the hearing.

You have the right to be represented by legal counsel, at your own expense, during this administrative proceeding. In addition, you are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents, and other things relevant to the proceedings.

This administrative proceeding is governed by provisions of the Idaho Code, including the Idaho Administrative Procedure Act, and by provisions of the Idaho Administrative Code, including the Idaho Rules of Administrative Procedure of the Attorney General that have been adopted by the Board of Education. You may access these laws and rules online or via the Idaho State Law Library.


To request a hearing, you must deliver your request to the following address or fax number:

Sherri Ybarra  
Superintendent of Public Instruction  
Re: Professional Standards Commission Hearing  
650 West State Street, Room 200  
P.O. Box 83720  
Boise, ID 83720-0027  
Telephone: (208) 332-6800  
Facsimile: (208) 334-2228

The State Department of Education receives mailed or hand-delivered documents between the hours of 8:00 a.m. and 5:00 p.m. (mountain time) except Saturdays, Sundays, and holidays. The State Department of Education permits the filing of facsimile copies of documents that do not exceed ten pages, provided that the facsimile transmission is legible and is received before 5:00 p.m. on its due date. It shall be the responsibility of the filing party to verify with the staff of the State Department of Education that any facsimile transmission is successfully received and legible in its entirety.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 25<sup>th</sup> day of February, 2021, I caused to be served a true and correct copy of the foregoing by the following method to:

Marvin J. Hansen  


- 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.gottsch@ag.idaho.gov

  
Annette Schwab  
Program Specialist  
Idaho State Department of Education