

STATE OF MINNESOTA
PROFESSIONAL EDUCATOR
LICENSING AND STANDARDS BOARD

In the Matter of the Teaching Licenses of
Nicholas C. Willaert

**STIPULATION AGREEMENT
AND CONSENT ORDER**

File Folder No. 431094

This Stipulation Agreement is entered into by Nicholas C. Willaert (“Licensee”) and the Minnesota Professional Educator Licensing and Standards Board’s Disciplinary Committee. The parties stipulate to the following:

FACTS

1. Licensee holds a Tier 4, Grades K-12 teaching license for Physical Education, which expires on June 30, 2022. Licensee also holds a Tier 4, Grades 5-12 teaching license for Health Education, which expires on June 30, 2022.
2. The following occurred while Licensee was employed as a high school teacher with the Madelia Public Schools District.
3. In or around 2015, Licensee engaged in inappropriate conversation of a sexual nature with female students. A staff member who overheard the conversation informed Licensee that his conduct was inappropriate. School administration subsequently met with Licensee, reviewed expectations, and provided direction on appropriate and professional conduct with students.
4. In February of 2018, Licensee tickled a female student during class. School administration subsequently met with Licensee, again reviewed expectations, and again provided direction on appropriate and professional conduct with students.

5. In October of 2019, students reported concerns to school administration of Licensee engaging in inappropriate conduct, including the following: (a) Licensee made comments to female students about their breasts and body image, (b) Licensee engaged in conversations with students regarding their sexual activity, (c) Licensee touched students in an inappropriate manner, including grabbing a student's arm to try to get her to unlock her mobile phone with her thumbprint, and touching female students' breasts and buttocks during weightlifting exercises, and (d) Licensee engaged in sexual acts with a 16-year-old student.

6. On December 19, 2019, Licensee resigned from employment with the school district while the district's investigation into his conduct was pending.

7. Licensee neither admits nor denies the facts as stated in paragraphs 3-5, but agrees that the Board may consider them to be true for the purpose of this Stipulation only.

REGULATIONS

8. The Professional Educator Licensing and Standards Board ("Board") has the authority to revoke or suspend a Minnesota teaching license based on immoral character or conduct, and also based on violations of the Code of Ethics for Minnesota Teachers. Minn. Stat. § 122A.20, subd. 1(a); Minn. R. 8710.2100, subp. 5.

9. Licensee understands that the Board's Disciplinary Committee is prepared to initiate contested case proceedings to determine whether sufficient grounds exist to revoke his licenses pursuant to Minnesota Statutes section 122A.20, subdivision 1(a) and/or Minnesota Rule 8710.2100, subpart 5.

10. Licensee understands that he has the right to a contested-case proceeding regarding any proposed disciplinary action against his Minnesota teaching licenses, and that if he

and the Disciplinary Committee sign this Stipulation, and the Board then adopts this Stipulation and the proposed Consent Order, he is waiving that right.

REMEDY

NOW, THEREFORE, in consideration of the foregoing, Licensee and the Board's Disciplinary Committee agree that, if the Board adopts this Stipulation and issues a Consent Order, the following terms will become effective:

I. Effective as of the date the Board adopts this Stipulation, Licensee's Minnesota teaching licenses are **REVOKED**.

II. Licensee freely and voluntarily enters this stipulation and agrees that the Board may issue a Consent Order containing the terms in this Stipulation. Licensee agrees that he has made this decision without any coercion, duress, or representations outside those contained in this Stipulation. Licensee is represented in this matter by Meg Luger-Nikolai, Esq. The Committee is represented in this matter by David Cullen, Assistant Attorney General.

III. Licensee understands that, before the Board can take any action regarding his Minnesota teaching licenses, he is entitled to a contested-case hearing before an administrative law judge from the Office of Administrative Hearings. Licensee freely and voluntarily waives his right to such hearing, and his right to appear before and to present argument to the Board.

IV. The parties to this Stipulation affirm that they have read it and agree to the conditions and obligations it sets forth. The parties further agree that they have had adequate time to consider the terms of the Stipulation, that they are voluntarily entering into this stipulation, and that they had an opportunity to review it with legal counsel before signing it.

V. This Stipulation becomes binding upon the parties when their signatures are attached hereto.

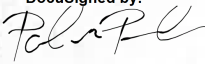
The parties have executed this stipulation on the dates written below.

Dated: 10.1.20



Nicholas C. Willaert

Dated: 10/16/2020

DocuSigned by:


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Professional Educator Licensing and Standards
Board Disciplinary Committee
Paul Peltier

Print Name

CONSENT ORDER

The Minnesota Professional Educator Licensing and Standards Board has reviewed the Stipulation between Nicholas C. Willaert and the Board's Disciplinary Committee. The Board adopts and incorporates the Stipulation in full. Accordingly, as of the date of this Order, Licensee's Minnesota teaching licenses are **REVOKED**.

MINNESOTA PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD

Dated: 10/20/2020

DocuSigned by:
Abdi Sabrie
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Acting Chairperson¹

Abdi Sabrie

Print Name

¹ The Acting Chairperson signs on behalf of the Board because the Board's Chairperson is a member of the Board's Disciplinary Committee and accordingly abstained from voting in this matter.