

1 Dr. Glass updated the Board on federal and legislative matters.

2

3 Executive Director's Report:

4 Updated the Board on the four school districts he recently visited – Dubuque
5 Community Schools; Holy Family Catholic Schools in Dubuque; Hennessy Catholic
6 Schools in New Vienna and Western Dubuque Community Schools.

7

8 Financial update was given to the Board.

9

10 Digitizing the professional practices packets – April packet was sent electronically.
11 The Board indicated some of the trouble they had opening some of the larger
12 documents. Any other issues should be directed to Jeff DeBruin, IT Specialist. We
13 will continue to work with DAS-ITE if more flexibility can be provided that's requested.

14

15 New software RFP – the last vendor presented on April 4, 2013. A total of five vendors
16 presented over the past months. We are hopeful that after some scoring is done by
17 the members of that committee (selected BOEE and DE staff), a recommendation will
18 be made soon.

19

20 Mr. Magee presented certificates of service to the outgoing board members – Oscar
21 Ortiz, Carol Trueg and Dr. Bev Smith.

22

23 Governor Branstad and Lt. Governor Reynolds visited with the Board. They spoke
24 with the Board regarding Education Reform; STEM Advisory Council; Licensure
25 Rules/Requirements.

26

27 Oscar Ortiz moved, with a second by Brenda Garcia-Van Auken, that the Board go
28 into closed session for the purposes of discussing whether to initiate licensee
29 disciplinary proceedings and discussing the decision to be rendered in a contested
30 case, pursuant to Iowa Code sections 21.5(1)(d) and (f). Roll call vote: Duehr – yes;
31 Dutcher – yes; Garcia-Van Auken – yes; Glass – yes; Hill – yes; Ortiz – yes; Overholtzer
32 – yes; Smith – yes; Stevens – yes; Trueg – yes; Wortmann – yes. **MOTION CARRIED.**

33

1 Brenda Garcia-Van Auken moved, with a second by Tammy Duehr, that in **case**
2 **number 12-93**, the Board find that, although one or more of the allegations in the
3 complaint may be substantiated by the witnesses interviewed in the course of the
4 investigation [and/or] the documents gathered in the course of the investigation, and
5 the allegations may constitute a technical violation of the Board’s statute or
6 administrative rules; the evidence before the Board indicates that any violations that
7 may have occurred were not sufficient to warrant a hearing. Roll call vote: Duehr –
8 yes; Dutcher – yes; Garcia-Van Auken – yes; Glass – yes; Hill – no; Ortiz – yes;
9 Overholtzer – yes; Smith – yes; Stevens – yes; Trueg – yes; Wortmann – yes. **MOTION**
10 **CARRIED.**

11
12 Brenda Garcia-Van Auken moved, with a second by Tammy Duehr, that in **case**
13 **number 12-94**, the Board find that, although one or more of the allegations in the
14 complaint may be substantiated by the witnesses interviewed in the course of the
15 investigation [and/or] the documents gathered in the course of the investigation, and
16 the allegations may constitute a technical violation of the Board’s statute or
17 administrative rules; the evidence before the Board indicates that any violations that
18 may have occurred were not sufficient to warrant a hearing. Roll call vote: Duehr –
19 yes; Dutcher – yes; Garcia-Van Auken – yes; Glass – yes; Hill – no; Ortiz – yes;
20 Overholtzer – no; Smith – yes; Stevens – yes; Trueg – yes; Wortmann – yes. **MOTION**
21 **CARRIED.**

22
23 Richard Wortmann moved, with a second by Oscar Ortiz, that in **case number 12-**
24 **102**, the Board find that the evidence gathered in the investigation, including witness
25 statements and the documentary evidence, does not substantiate the allegations in the
26 complaint against the respondent, and that the Board therefore lacks probable cause
27 to proceed with this matter. **MOTION CARRIED UNANIMOUSLY.**

28
29 Tammy Duehr moved, with a second by Brenda Garcia-Van Auken, that in **case**
30 **number 12-127**, the Board find that, although one or more of the allegations in the
31 complaint may be substantiated by the witnesses interviewed in the course of the
32 investigation [and/or] the documents gathered in the course of the investigation, and
33 the allegations may constitute a technical violation of the Board’s statute or

1 administrative rules; the evidence before the Board indicates that any violations that
2 may have occurred were not sufficient to warrant a hearing. Roll call vote: Duehr –
3 yes; Dutcher – yes; Garcia-Van Auken – yes; Glass – yes; Hill – no; Ortiz – yes;
4 Overholtzer – no; Smith – yes; Stevens – yes; Trueg – yes; Wortmann – yes. **MOTION**
5 **CARRIED.**

6

7 Tammy Duehr moved, with a second by Brenda Garcia-Van Auken, that in **case**
8 **number 12-128**, the Board find that, although one or more of the allegations in the
9 complaint may be substantiated by the witnesses interviewed in the course of the
10 investigation [and/or] the documents gathered in the course of the investigation, and
11 the allegations may constitute a technical violation of the Board’s statute or
12 administrative rules; the evidence before the Board indicates that any violations that
13 may have occurred were not sufficient to warrant a hearing. Roll call vote: Duehr –
14 yes; Dutcher – yes; Garcia-Van Auken – yes; Glass – yes; Hill – no; Ortiz – yes;
15 Overholtzer – no; Smith – yes; Stevens – yes; Trueg – yes; Wortmann – yes. **MOTION**
16 **CARRIED.**

17

18 Brenda Garcia-Van Auken moved, with a second by Tammy Duehr, that in **case**
19 **number 13-02**, the Board find that the evidence gathered in the investigation,
20 including witness statements and the documentary evidence, does not substantiate
21 the allegations in the complaint, and that the Board therefore lacks probable cause to
22 proceed with this matter. **MOTION CARRIED UNANIMOUSLY.**

23

24 Tammy Duehr moved, with a second by Brenda Garcia-Van Auken, that in **case**
25 **number 13-03**, the Board find that, although one or more of the allegations in the
26 complaint may be substantiated by the witnesses interviewed in the course of the
27 investigation [and/or] the documents gathered in the course of the investigation, and
28 the allegations may constitute a technical violation of the Board’s statute or
29 administrative rules; the evidence before the Board indicates that the respondent was
30 not solely responsible for the wrongdoing that may have occurred. Roll call vote:
31 Duehr – yes; Dutcher – yes; Garcia-Van Auken – yes; Glass – yes; Hill – abstain; Ortiz

1 – no; Overholtzer – no; Smith – yes; Stevens – yes; Trueg – yes; Wortmann – yes.

2 **MOTION CARRIED.**

3
4 Brenda Garcia-Van Auken moved, with a second by Richard Wortmann, that the
5 Board not initiate review of the proposed decision in **case number APP 12-05**, and
6 allow the proposed decision to become the final decision of the Board unless an appeal
7 is taken by one of the parties within the time allowed by rule. **MOTION CARRIED**
8 **UNANIMOUSLY.** (Julie Bussanmas did not participate in the discussion of this case
9 during the closed session.)

10
11 Tammy Duehr moved, with a second by Oscar Ortiz, that the Board not initiate review
12 of the proposed decision in **case number APP 12-06**, and allow the proposed decision
13 to become the final decision of the Board unless an appeal is taken by one of the
14 parties within the time allowed by rule. **MOTION CARRIED UNANIMOUSLY.** (Julie
15 Bussanmas did not participate in the discussion of this case during the closed
16 session.)

17
18 Oscar Ortiz moved, with a second by Richard Wortmann, that in **case number 12-99**,
19 the Board accept the stipulation and settlement submitted by the parties, and issue
20 an Order incorporating the agreement of the parties and imposing the agreed upon
21 sanction. Roll call vote: Duehr – yes; Dutcher – yes; Garcia-Van Auken – recused;
22 Glass – yes; Hill – yes; Ortiz – yes; Overholtzer – yes; Smith – yes; Stevens – yes; Trueg
23 – yes; Wortmann – yes. **MOTION CARRIED.**

24
25 Tammy Duehr moved, with a second by Oscar Ortiz, that in **case number 12-132**, the
26 Board accept the stipulation and settlement submitted by the parties, and issue an
27 Order incorporating the agreement of the parties and imposing the agreed upon
28 sanction. **MOTION CARRIED UNANIMOUSLY.** (Duane Magee left the room during
29 the discussion of this case in closed session.)

30
31 Richard Wortmann moved, with a second by Tammy Duehr, that in **case number 12-**
32 **65**, the Board accept the stipulation and settlement submitted by the parties, and

1 issue an Order incorporating the agreement of the parties and imposing the agreed
2 upon sanction. **MOTION CARRIED UNANIMOUSLY.**

3
4 Tammy Duehr moved, with a second by Richard Wortmann, that in **case number 12-**
5 **61**, the Board accept the Notice of Hearing, Settlement Agreement, and Final Order
6 submitted by the parties, and issue an Order incorporating the agreement of the
7 parties and imposing the agreed upon sanction. **MOTION CARRIED UNANIMOUSLY.**

8
9 Oscar Ortiz moved, with a second by Richard Wortmann, that in **case number 12-**
10 **101**, the Board accept the Respondent's waiver of hearing and voluntary surrender
11 and that the Board issue an order permanently revoking the Respondent's license with
12 no possibility of reinstatement. **MOTION CARRIED UNANIMOUSLY.**

13
14 Tammy Duehr moved, with a second by Brenda Garcia-Van Auken, to extend the 180-
15 day deadline for issuance of the final decision in **case number 12-112**, based upon
16 the amount of time needed to complete the investigation due to pending criminal
17 charges. **MOTION CARRIED UNANIMOUSLY.**

18
19 Brenda Garcia-Van Auken moved, with a second by Oscar Ortiz, to extend the 180-day
20 deadline for issuance of the final decision in **case number 12-114**, based upon the
21 amount of time needed to complete the investigation due to pending criminal charges.
22 Roll call vote: Duehr – yes; Dutcher – yes; Garcia-Van Auken – yes; Glass – yes; Hill –
23 yes; Ortiz – yes; Overholtzer – yes; Smith – yes; Stevens – yes; Trueg – yes; Wortmann
24 – recused. **MOTION CARRIED.**

25
26 Tammy Duehr moved, with a second by Brenda Garcia-Van Auken, to extend the 180-
27 day deadline for issuance of the final decision in **case number 12-115**, based upon
28 the need to schedule a hearing. **MOTION CARRIED UNANIMOUSLY.**

29
30 Brenda Garcia-Van Auken moved, with a second by Tammy Duehr, to extend the 180-
31 day deadline for issuance of the final decision in **case number 12-121**, based upon
32 the need to schedule a hearing. Roll call vote: Duehr – yes; Dutcher – yes; Garcia-Van

1 Auken – yes; Glass – yes; Hill – yes; Ortiz – yes; Overholtzer – yes; Smith – yes; Stevens
2 – yes; Trueg – yes; Wortmann – recused. **MOTION CARRIED.**

3
4 Brenda Garcia-Van Auken moved, with a second by Oscar Ortiz, to extend the 180-day
5 deadline for issuance of the final decision in **case number 12-109**, based upon the
6 need to conduct the hearing and review the proposed decision. **MOTION CARRIED**
7 **UNANIMOUSLY.**

8
9 Tammy Duehr moved, with a second by Brenda Garcia-Van Auken, to extend the 180-
10 day deadline for issuance of the final decision in **case number 12-113**, based upon
11 the need to conduct the hearing and review the proposed decision. **MOTION**
12 **CARRIED UNANIMOUSLY.**

13
14 Brenda Garcia-Van Auken moved, with a second by Oscar Ortiz, to extend the 180-day
15 deadline for issuance of the final decision in **case number 12-118**, based upon the
16 need to conduct the hearing and review the proposed decision. **MOTION CARRIED**
17 **UNANIMOUSLY.**

18
19 (Case Nos. 12-109, 12-113 and 12-118 were discussed in open session. Julie
20 Bussanmas did not participate in the discussion.)

21
22 Tammy Duehr moved, with a second by Richard Wortmann, to approve the amended
23 closed session minutes of March 8, 2013. **MOTION CARRIED UNANIMOUSLY.**

24
25 Communication from the Public:

26 Barb Bakker from The University of Northern Iowa requested to speak to the Board
27 regarding the amendment to Chapter 13.28(8) – Health (Tab S) and Chapter 13.28(14)
28 – Physical Education (Tab T).

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1 Rules:

2 Adopt:

3 Laura Stevens moved, with a second by Carol Trueg, to adopt the proposed changes to
4 13.9 Teacher Intern License (International Teachers). **MOTION CARRIED**
5 **UNANIMOUSLY.**

6

7 Notice:

8 Larry Hill moved, with a second by Carol Trueg, to file under Notice of Intended Action,
9 the proposed changes to Chapters 22.1 Coaching Authorization and 13.28(3) Coaching
10 Endorsement, 20.3(7) Renewal. **MOTION CARRIED UNANIMOUSLY.**

11 Richard Wortmann moved, with a second by Brenda Garcia-Van Auken, to file under
12 Notice of Intended Action, the proposed changes to Chapter 13.3(6) Applicants from
13 Non-Iowa Institutions who have attained national board certification. **MOTION**
14 **CARRIED UNANIMOUSLY.**

15

16 Laura Stevens moved, with a second by Brenda Garcia-Van Auken, to file under Notice
17 of Intended Action, the proposed changes to Chapter 13.17(4) Military Exchange
18 License. **MOTION CARRIED UNANIMOUSLY.**

19

20 Richard Wortmann moved, with a second by Laura Stevens, to file under Notice of
21 Intended Action, the proposed changes to Chapter 22.3(7) School Business Officials
22 **MOTION CARRIED UNANIMOUSLY.**

23

24 Laura Stevens moved, with a second by Carol Trueg, to file under Notice of Intended
25 Action, the proposed changes to Chapter 18.9 Area and Grade Levels of Administrator
26 Endorsements Renumbering. **MOTION CARRIED UNANIMOUSLY.**

27

28 Carol Trueg moved, with a second by Richard Wortmann, to file under Notice of
29 Intended Action, the proposed changes to Chapter 19.7 Renewal of Administrator
30 Licenses. **MOTION CARRIED UNANIMOUSLY.**

31

1 Larry Hill moved, with a second by Carol Trueg, to file under Notice of Intended Action,
2 the proposed changes to Chapter 18.12 Extension of Administrator Exchange, Class B
3 and Class A Licenses. **MOTION CARRIED UNANIMOUSLY.**

4
5 Larry Hill moved, with a second by Mary K. Overholtzer, to file under Notice of
6 Intended Action, the proposed changes to Chapter 13.28(3) Content Specialist.
7 **MOTION CARRIED UNANIMOUSLY.**

8
9 Items for Discussion:

10 The proposed changes to Chapter 18.10 Superintendent/AEA Administrator were
11 discussed and will brought back for further discussion

12
13 The proposed changes to Chapter 22.2 Substitute Authorization were discussed and
14 will be brought back at a future meeting to file under notice of intended action.

15
16 The discussion regarding Chapter 25.3(6)(f) on solicitation will continue. A
17 collaborative letter with IASB, ISEA and SAI will be developed.

18
19 The proposed changes to Chapter 13.28(8) Health were discussed and will be brought
20 back at a future meeting to file under notice of intended action.

21
22 The proposed changes to Chapter 13.28(14) Physical Education were discussed and
23 will be brought back at a future meeting to file under notice of intended action.

24
25 The proposed changes to Chapter 13.28(13) Music were discussed and will be brought
26 back at a future meeting to file under notice of intended action.

27
28 Petitions for Waiver:

29 Carol Trueg moved, with a second by Laura Stevens, that in **PFW 13-01 Kelly**
30 **Militello**, the Board grant the Petition for Waiver. Reasons for granting:

31 Within her Petition for Waiver, Ms. Militello indicated she will not be able to find
32 employment if she does not have an Iowa teaching license. The Board noted that Ms.
33 Militello has been able to teach in other states with the completion of this program.

1 The Board reviewed the information provided from the university indicating the site
2 where Ms. Militello was student teaching was completing the accreditation process.
3 The program is now fully accredited so it was just the timing of the completion of Ms.
4 Militello's student teaching that hinders the college from recommending her for
5 licensure. The Board agreed it would be a hardship for her to complete another
6 teacher preparation program in order to obtain Iowa licensure. Ms. Militello believes
7 there would be no consequences to others to others if her waiver is granted. She has
8 met the student teaching/internship requirements at Florida International University
9 and has nine years of teaching experience. The Board found there have been no
10 petitions for waivers on this rule. Ms. Militello's transcripts would be analyzed to
11 ensure that she has met all of the course requirements in the professional education
12 core and in her endorsement area. She has passed the Praxis test. Thus there would
13 be no prejudice to rights of others. Within her Petition for Waiver, Ms. Militello
14 included letters of recommendation from principals demonstrating she upholds the
15 highest standards in her classroom which protects the profession and the integrity of
16 the standards. She also included her recent comprehensive evaluation. The Board
17 indicated the public health, safety, and welfare will not be substantially compromised
18 or placed at risk as a result of the Board's granting of a waiver in this case. **MOTION**
19 **CARRIED UNANIMOUSLY.**

20

21 Carol Trueg moved, with a second by Mary K. Overholtzer, that in **PFW 13-04 Tammy**
22 **Langfield**, the Board grant the Petition for Waiver. Reasons for granting:
23 Within her Petition for Waiver, Ms. Langfield stated she has many demands on her
24 time so it would be difficult to find the time to complete the practicum. There would
25 be a financial burden because of the cost of the practicum and her husband does not
26 have a job. The Board noted that the college has the discretion of transferring in
27 course work from other institutions as well as accepting experience in lieu of a
28 practicum or student teaching. Ms. Langfield is fully licensed in Wisconsin. The
29 Board reviewed the recommendation from Concordia College that Ms. Langfield
30 successfully met all of the requirements for the administrative preparation program.
31 The Board stated since the college has already accepted the experience completed by
32 Ms. Langfield as meeting the practicum requirement, it would be a financial burden to
33 have to repeat this experience and pay for the credits just so the practicum would

1 appear on the college transcript. Ms. Langfield believes this is a unique situation so
2 there would not be prejudice to others. She completed the administrator preparation
3 requirements as required by Concordia University. She completed the practicum
4 requirement through actual work as a principal in Wisconsin. The Board found there
5 have been no waivers on this issue. The Board noted that the Board rules allow for
6 the waiver of student teaching if the applicant completed a teacher preparation
7 program and has three years of teaching experience. The Board also accepts letters of
8 verification from college officials that indicate competencies or course work were met
9 on the basis of a College Level Examination Program or life experiences. Thus it would
10 not be prejudicial to accept the college's recommendation as meeting the requirements
11 for the practicum competencies. Within her Petition for Waiver, Ms. Langfield
12 indicates it is a challenge for Lutheran schools to obtain administrators who meet the
13 requirement of being religiously trained as well as properly licensed. The regional
14 administrators meet to provide guidance and to support each other. Ms. Langfield
15 states the students and teachers will benefit from her preparation. The Board
16 reviewed the letters of support from the college, the Executive Assistant at the school,
17 the associate pastor, and the Zion Lutheran School Board verifying her knowledge and
18 experience. The Board indicated the public health, safety, and welfare will not be
19 substantially compromised or placed at risk as a result of the Board's granting of a
20 waiver in this case. **MOTION CARRIED UNANIMOUSLY.**

21

22 Reports/Approvals

23 Conference Update: Susan Fischer updated the Board on a recent conference she
24 attended on alternative licensure. At the close of Susan's update, the Board stopped
25 to recognize her work on the Board and to wish her well on her retirement.

26 Legislative Update: Duane Magee updated the Board regarding current legislation –
27 Senate File 337, the suicide prevention training.

28 Board Orientation – June 20-21: This will be held in Dubuque.

29 Board Retreat – August: Please continue to send agenda topics to Mr. Magee. He will
30 include in his weekly updates as we move forward.

31 Board Operating Guidelines: A draft was sent out to the current members and Mr.
32 Magee will receive feedback before the end of April and will bring the full proposal
33 forward at the May meeting.

1 Special Education & Paraeducator Licensure Update: Mike Cavin updated the Board on
2 the special education endorsements and paraeducator endorsements. Committees
3 have met on each of these areas and Mr. Cavin will have more updates at the May
4 meeting.

5 Future Board Meeting Dates: Mr. Magee reminded the Board to complete the Doodle
6 Poll regarding their preferences for future meeting dates. The recommendations will
7 be discussed at the May meeting.

8 Board Member Photos on the Website: The State Board has photos of their board
9 members posted on the Department of Education website. Mr. Magee will send a link
10 of that site to our board members to see if this is something we would want to do on
11 the BOEE website.

12
13 There being no further business, Bev Smith asked for a motion to adjourn the
14 meeting. Carol Trueg moved, with a second by Jason Glass. The meeting was
15 adjourned at 2:50 p.m.

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