

1 The Board of Educational Examiners held its monthly meeting on August 5, 2011.
2 Board Chair, Dr. Bev Smith, called the meeting to order. Members attending were
3 Julio Almanza, Tammy Duehr, Dr. Jason Glass, Dr. Larry Hill, Merle Johnson, Dr.
4 Marianne Mickelson, Oscar Ortiz, Laura Stevens and Carol Trueg. Also in attendance
5 was Meghan Gavin, Assistant Attorney General. Liz Sheka and Richard Wortmann
6 were unable to attend.

7
8 Merle Johnson moved, with a second by Marianne Mickelson, to approve the agenda.

9 **MOTION CARRIED UNANIMOUSLY.**

10

11 Merle Johnson moved, with a second by Julio Almanza, to approve the consent
12 agenda. **MOTION CARRIED UNANIMOUSLY.**

13

14 Tammy Duehr moved, with a second by Julio Almanza, that the Board go into closed
15 session for the purposes of discussing whether to initiate licensee disciplinary
16 proceedings and discussing the decision to be rendered in a contested case, pursuant
17 to Iowa Code sections 21.5(1)(d) and 21.5(1)(f). Roll call vote: Almanza – yes; Duehr –
18 yes; Glass – yes; Hill – yes; Johnson – yes; Mickelson – yes; Ortiz – yes; Smith – yes;
19 Stevens – yes; Trueg – yes. **MOTION CARRIED UNANIMOUSLY.**

20

21 Julio Almanza moved, with a second by Tammy Duehr, that in **case number 11-37**,
22 the Board find that, although one or more of the allegations in the complaint may be
23 substantiated by the witnesses interviewed in the course of the investigation [and/or]
24 the documents gathered in the course of the investigation, and the allegations may
25 constitute a technical violation of the Board’s statute or administrative rules; the
26 evidence before the Board indicates that adequate steps have been taken to remedy
27 the violation and to ensure that incidents of a similar nature do not occur in the
28 future. The Board will not pursue formal disciplinary action in this matter. **MOTION**
29 **CARRIED UNANIMOUSLY.**

30

31 Tammy Duehr moved, with a second by Julio Almanza, that in **case number 11-39**,
32 the Board find probable cause to establish a violation of the following provisions of the

1 Code of Professional Conduct and Ethics, 282 IAC 25.3(1) c and e (3), and order this
2 case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

3

4 Julio Almanza moved, with a second by Tammy Duehr, that in **case number 11-43**,
5 the Board find that, although one or more of the allegations in the complaint may be
6 substantiated by the witnesses interviewed in the course of the investigation [and/or]
7 the documents gathered in the course of the investigation, and the allegations may
8 constitute a technical violation of the Board's statute or administrative rules; the
9 evidence before the board indicates that adequate steps have been taken to remedy
10 the violation and to ensure that incidents of a similar nature do not occur in the
11 future. The Board will not pursue formal disciplinary action in this matter. **MOTION**
12 **CARRIED UNANIMOUSLY.**

13

14 Tammy Duehr moved, with a second by Julio Almanza, that in **case number 11-44**,
15 the Board find that, although one or more of the allegations in the complaint may be
16 substantiated by the witnesses interviewed in the course of the investigation [and/or]
17 the documents gathered in the course of the investigation, and the allegations may
18 constitute a technical violation of the Board's statute or administrative rules; the
19 Board will not pursue formal disciplinary action in this matter. **MOTION CARRIED**
20 **UNANIMOUSLY.**

21

22 Julio Almanza moved, with a second by Tammy Duehr, that in **case number 11-45**,
23 the Board find probable cause to establish a violation of the following provisions of the
24 Code of Professional Conduct and Ethics, 282 IAC 25.3(1)e (1) and 25.3(6)c and order
25 this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

26

27 Tammy Duehr moved, with a second by Julio Almanza, that in **case number 11-48**,
28 the Board find probable cause to establish a violation of the following provisions of the
29 Code of Professional Conduct and Ethics, 282 IAC 25.3 (6) c and d, and order this
30 case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

31

32 Julio Almanza moved, with a second by Tammy Duehr, that in **case number 11-50**,

1 the Board find that, although one or more of the allegations in the complaint may be
2 substantiated by the witnesses interviewed in the course of the investigation [and/or]
3 the documents gathered in the course of the investigation, and the allegations may
4 constitute a technical violation of the Board's statute or administrative rules; the
5 evidence before the Board indicates that the alleged violation was an isolated incident.
6 The Board will not pursue formal disciplinary action in this matter. Roll call vote:
7 Almanza – yes; Duehr – yes; Glass – no; Hill – no; Johnson – yes; Mickelson – yes;
8 Ortiz – yes; Smith – yes; Stevens – yes; Trueg – no. **MOTION CARRIED.**

9
10 Tammy Duehr moved, with a second by Julio Almanza, that in **case number 11-51**,
11 the Board find probable cause to establish a violation of the following provisions of the
12 Code of Professional Conduct and Ethics, 282 IAC 25.3(1) b (2), 25.3 (2) a and b, and
13 order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

14
15 Tammy Duehr moved, with a second by Julio Almanza, that the Board not initiate
16 review of the proposed decision in **case number APP 11-01, In the Matter of Carlo**
17 **Walton**, and allow the proposed decision to become the final decision of the Board.
18 **MOTION CARRIED UNANIMOUSLY.**

19
20 Julio Almanza moved, with a second by Tammy Duehr, to extend the 180-day deadline
21 for issuance of the final decision in **case numbers 11-29, 11-31 and 11-32**, based
22 upon the extraordinary amount of time needed to schedule the hearing, allow review of
23 the proposed decision, and issue a final decision. **MOTION CARRIED**
24 **UNANIMOUSLY.**

25
26 Merle Johnson moved, with a second by Marianne Mickelson, to approve the closed
27 session minutes of May 6, 2011, June 24, 2011 and July 13, 2011 (special telephonic
28 meeting). **MOTION CARRIED UNANIMOUSLY.**

29
30 Board Reports:

31 No Board reports.

1 Public Comment:

2 No public comment.

3

4 Executive Director's Report:

5 Dr. Maurer reviewed the financial reports for FY 11 and FY 12.

6

7 Dr. Maurer distributed a survey done by NASDTEC in 2009 regarding "Status of
8 Educator Standards Boards." The survey collected data on the status of Independent
9 Standards Boards (ISB) in the United States.

10

11 Rules:

12 Merle Johnson moved, with a second by Laura Stevens, to file under Notice of
13 Intended Action, the proposed changes to Chapter 13.9 Teacher Intern License.

14 **MOTION CARRIED UNANIMOUSLY.**

15

16 Items for Discussion:

17 The proposed changes to Chapter 13 Approvals were discussed and will return again
18 for further discussion.

19

20 The proposed changes to Chapter 11.35 Application Denial and Appeal and Chapter
21 25 Human Trafficking were discussed and will move forward to Notice at the October
22 meeting.

23

24 The proposed changes to various chapters (for clean up) were discussed and will move
25 forward to Notice at the October meeting.

26

27 Petitions for Waiver:

28 Merle Johnson moved, with a second by Julio Almanza, that in **PFW 11-14**, Carol
29 Cline, the Board deny the Petition for Waiver. Reasons for denial: The Board
30 indicated that the endorsement requires twenty-four semester hours of credit so the
31 cost would have been for twenty four hours of credit whether she completed the
32 requirements at the first institution where she started the requirements or whether
33 she completed the state minimum requirements through a variety of institutions. The

1 Board is willing to grant another extension so Ms. Cline would have the opportunity to
2 complete the final two semester hours of credit due to the misunderstanding between
3 completing any number of hours in a practicum and completing the twenty four
4 semester hours of credit necessary for the endorsement. The Board felt it would be
5 prejudicial to allow Ms. Cline to complete the program with only twenty-two semester
6 hours of credit but everyone else must complete twenty-four credits. The Board
7 indicated that having Ms. Cline complete additional reading course work would
8 positively affect the public health, welfare and safety of the reading students.

9 **MOTION CARRIED UNANIMOUSLY.**

10
11 Dr. Hill moved, with a second by Merle Johnson, that in **PFW 11-15**, Daniel Klass
12 deny the Petition for Waiver. Reasons for denial: The Board discussed the
13 equivalency of the credits that Mr. Klass has earned. Mr. Klass audited Arabic II and
14 received 4 semester hours of credit for Arabic III and Arabic IV. He completed a 60
15 hour language study class. Generally 15 contact hours equate to one semester hour
16 of college credit. Thus a 60 hour language class would equate to approximately four
17 semester hours of credit. He also completed 30 hours of study which would equate to
18 approximately 2 semester hours of credit. His credential evaluation report from the
19 Global Education Group did not provide any different documentation of equivalency of
20 course work. He has completed cultural classes for Middle Eastern philosophy,
21 history and geography which Simpson accepted in order for Mr. Klass to teach Arabic
22 on the college level. He also has experience working for an international relations
23 institute. The Board stated the course work should be sufficient for the Class B
24 license in Arabic but not sufficient for the full endorsement. The Board felt it would be
25 prejudicial to allow Mr. Klass to teach Arabic with credits that have not been
26 documented to be the equivalent of the requirement of twenty-four semester hours of
27 college credit but everyone else must complete twenty-four semester hours of college
28 credits. The Board indicated that having Mr. Klass complete twenty four semester
29 hours of college credit in Arabic would positively affect the public health, welfare and
30 safety of the students. Roll call vote: Almanza – no; Duehr – yes; Glass – yes; Hill –
31 yes; Johnson – yes; Mickelson – yes; Ortiz – yes; Smith – no; Stevens – yes; Trueg –
32 yes. **MOTION CARRIED.**

1 Carol Trueg moved, with a second by Merle Johnson, that in **PFW 11-16**, Eric Kumm,
2 the Board grant the Petition for Waiver. Reasons for granting: The Board indicated
3 Mr. Kumm should have checked on the availability of course work earlier. However,
4 the Board stated it would be a hardship for students interested in completing
5 industrial technology courses if no courses are offered this fall. The Board reviewed
6 Board decisions on requests for extensions of Class B licenses. There is a mixture of
7 decisions depending on the amount of course work completed. Mr. Kumm has
8 completed twenty-seven hours of credit in industrial technology. Thus the Board did
9 not believe it would be prejudicial to approve the waiver based on the other decisions.
10 The Board granted an extension for a semester while the individual completed the
11 required course work. Based on the information submitted by Mr. Kumm, an
12 extension of one semester would suffice to complete the course work. The Board
13 stated that Mr. Kumm has completed these courses and granting him additional time
14 to complete the remaining course work would not affect the public health, welfare and
15 safety of the students. The Class E license will be issued with an expiration date of
16 January 1, 2012. Roll call vote: Almanza – yes; Duehr – yes; Glass – yes; Hill – no;
17 Johnson – yes; Mickelson – yes; Ortiz – yes; Smith – yes; Stevens – recused; Trueg –
18 yes. **MOTION CARRIED.**

19

20 Reports/Approvals:

21 Geri McMahon reviewed the annual Communications Report.

22

23 Beth Myers updated the Board regarding the FY 11 legislative session.

24

25 Dr. Maurer shared recommendations with the Board regarding Board Goals for FY 12.

26

27 Discussion continued from Thursday’s retreat regarding:

- 28 • Iowa Education Summit—A Google doc will be set up for board members to give
29 their recommendations/input regarding the three major reform areas: High
30 Expectations and Fair Measures; Great Teachers, Great Leaders (Human

1 Capital Element); and Innovation Component. Recommendations will be
2 discussed at a special meeting of the Board on August 31, 2011.

- 3
4 • Executive Director Search – The Executive Committee will have a telephonic
5 meeting to discuss search firm presentations regarding their candidate selection
6 process, cost, guarantee, etc. On August 31, 2011, the Board will hear
7 presentations from three or four of the search firms. After the presentations,
8 the Board will select which firm will conduct the search for Executive Director.

9
10 There being no further business, Dr. Smith asked for a motion to adjourn the meeting.
11 Merle Johnson moved, with a second by Marianne Mickelson. **MOTION CARRIED**
12 **UNANIMOUSLY.** The meeting was adjourned at 12:09 p.m.